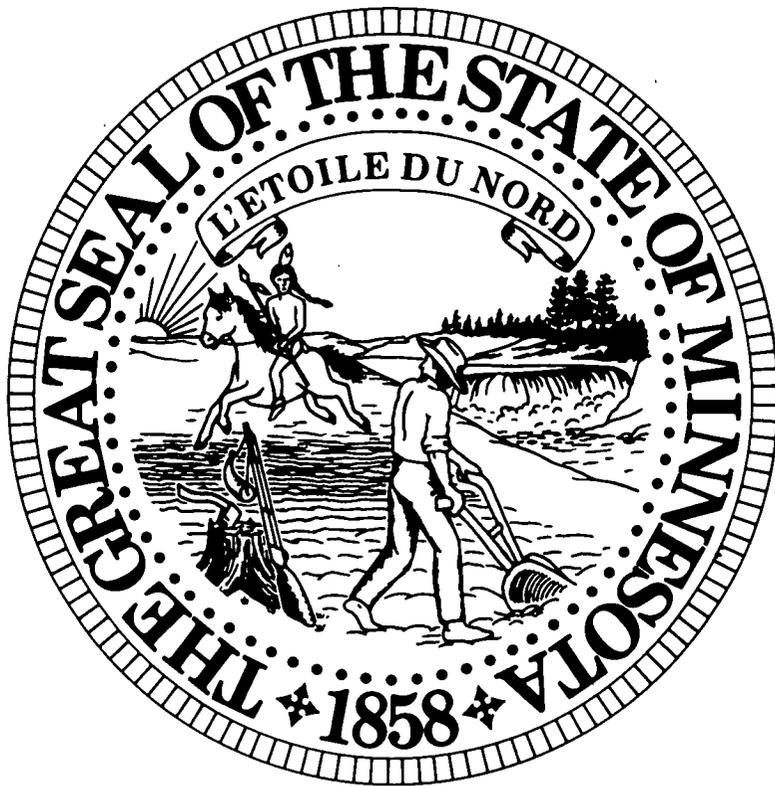


The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Monday 7 December 1992
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Pages 1377-1432

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 17 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
23	Monday 23 November	Monday 30 November	Monday 7 December
24	Monday 30 November	Monday 7 December	Monday 14 December
25	Monday 7 December	Monday 14 December	Monday 21 December
26	Monday 14 December	Monday 21 December	Monday 28 December

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-0929.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Tuesday, Wednesday and Friday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The *State Register Contracts Supplement* contains additional state contracts and advertised bids.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$150.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined four editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, includes four editions, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Arne H. Carlson, Governor

**Dana B. Badgerow, Commissioner
Department of Administration**

Kathi Lynch, Director

**Print Communications Division
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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

Contents

Minnesota Rules: Amendments & Additions

Issues 14-23 inclusive (issues #1-13 appeared in #13) . . . 1380

Proposed Rules

Health Department

Lead abatement 1383

Pollution Control Agency

Priority assessment 1392

Public Safety Department

Claim procedures; payment limits 1397

Revenue Department

Sales and use tax for advertising 1399

Teaching Board

Education; teacher licensure examinations 1403

Adopted Rules

Waste Management Office

Solid waste planning and certificate of need issuance . . . 1405

Commissioner's Orders

Transportation Department

Amended uniform traffic control device manual
order no. 78924 1406

Emergency Rules

Agriculture Department

Class I milk 1407

Natural Resources Department

Game and fish rules; deer season in zones 3 and 4 1409

Official Notices

Ethical Practices Board

Notice of 1993 campaign expenditure limits 1409

Health Department

Outside opinions sought regarding proposed rule
amendments governing services for children with
handicaps program 1410
Antitrust rules advisory panel meeting 1410

Human Services Department

Outside opinions sought regarding proposed rules
governing standards for community support
program services 1410

Labor and Industry Department

Prevailing wage certifications for construction projects . . 1411

Public Employees Retirement Association

Meetings of board of trustees 1411

Secretary of State

Notice of vacancy in multi-member state agency 1411

Notice of vacancies in multi-member agencies 1412

Social Work Board

Meeting dates for the 1993 calendar year 1415

Professional, Technical & Consulting Contracts

State Designer Selection Board

Proposals sought for a University of Minnesota project . . 1415

Health Department

Proposals sought to improve the effectiveness of
public health care purchasing 1417

Jobs and Training Department

Proposals sought for facilitators to assist in
redirecting agency services 1417

Natural Resources Department

Proposals sought for warehouse and fulfillment of
state parks' merchandise 1420

Public Safety Department

Proposals sought for management of intensive
probation grant program 1420

Non-State Public Bids and Contracts

Metropolitan Waste Control Commission

Public notice for prequalifications for professional
services 1421

Awards of State Contracts & Advertised Bids

Administration Department

Materials Management Division: Commodities and
requisitions awarded 1421

Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

Issues 14-23 inclusive Vol. 17

Agriculture Department

1502.0027 (adopted)	922
1505.2100; .2200; .2300; .2400; .2500; .2600; .2700; .2800 (adopted)	711
1505.2000; .2010; .2020; .2030; .2040; .2050; .2060; .2070; .2080 (repealed)	711
1509.0010; .0015; .0020; .0025; .0030; .0035; .0040 (withdrawn)	1021
1535.4000; .4030; .4040; .4050; .4060; .4100; .4110; .4120; .4130; .4200; .4210; .4230; .4240; .4250; .4260; .4270; .4300; .4310; .4320; .4330; .4340; .4350; .4360; .4370; .4380; .4390; .4395; .4396; .4400; .4520; .4530; .4540; .4550; .4560 (adopted)	2230
1555.6950 (proposed)	870

Agriculture Department—Rural Finance Authority

1650.0510; .0520; .0540; .0550; .0560 (adopted)	1016
1650.0600; .0610; .0620; .0630; .0640; .0650 (adopted)	1018

Animal Health Board

1700.0100; .0200; .0500; .0550; .0600; .0700; .0800; .1050; .1200; .1300; .1400; .1500; .1600; .1700; .1900; .2100; .2200; .2300; .2310; .2400; .2450; .2500; .3110; .3400; .3600; .3700; .3800; .4900; .5000; .5100; .5200; .5300; 1705.0060; .0260; .0310; .0320; .0430; .0460; .0510; .0840; .1040; .1081; .1082; .1083; .1084; .1085; 1715.0005; .0072; .0105; .0110; .0115; .0130; .0140; .0160; .0780; .0850; .0870; .0960; .1100; .1130; .1140; .1180 (adopted)	1272
1700.0100 s.12; .2000; .3100; 1705.0470; 1715.0005 s.6; .0070; .0080; .0100; .0120; .0180; .0780 s.8; 1720.0820; .0830; .0840; .0850 (repealed)	1272
1719.0100 s.4,5,7,8,10,12,13,14,15; .0200 through .3200 (withdrawn)	784
1719.0100; .4000; .4100; .4300; .4400; .4500; .4600 (adopted)	1357
1719.4200 (withdrawn)	1357
1720.0010 except s.1 and 2; .0280; .0290; .0300; .0310; .0540; .0550; .0560; .0570 (proposed repealer withdrawn)	784

Architecture, Engineering, Land Surveying, Landscape Architecture and Interior Design Board

1800.0500 (adopted)	711
---------------------------	-----

Attorney General

2010.0300; .0400; .0500; .0700; .1000; .1100; .1200; .1300; .1400; .9913; .9916; .9920; .9930; .9940; .9945; .9946; .9951; .9955; .9960 (proposed)	821
2010.9915; .9950 (proposed repealer)	838

Commerce Department

2711.0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100 (proposed)	872
2720.0100; .0350; .0400; .0500; .0600; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .2000; .9910; .9920; .9930; .9940 (adopted)	1272
2720.0100 s.3 and 4 (repealed)	1273
2808.0100; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .2000; .2100; .2200; .3000; .3100; .3200; .3300; .4000; .4100; .4200; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .6000; .7000; .7100; .7200; .7300; .7400 (withdrawn)	784
2808.0100; .1000; .1100; .1200; .1300; .1400; .1500; .1600; .1700; .2000; .2100; .2200; .3000; .3100; .3200; .3300; .4000; .4100; .4200; .5000; .5100; .5200; .5300; .5400; .5500; .5600; .6000; .7000; .7100; .7200; .7300; .7400 (proposed)	741
2808.3000 s.3a; s.7 (proposed repealer)	767

Corrections Department

2945.0100; .0110; .0120; .0130; .0500; .0510; .0520; .0530; .1000; .1010; .1600; .1610; .2100; .2110; .2120; .2130; .2500; .2510; .2520; .2530; .2540; .2550; .3400; .3410; .3420; .3430; .3440; .3450; .4700; .4710; .4720; .4730; .4740; .4750; .4760; .5400; .5410; .5420; .5430; .5440; .5450; .5460; .5470; .5480; .5490 (adopted)	711
--	-----

Dentistry Board

3100.2000 (adopted)	1357
---------------------------	------

Jobs and Training Department

3301.0180; .0190; .0200; .0210; .0220; .0230 (proposed)	1190
---	------

Education Department

3520.0400; .2400; .2500; .3680; .3701; .4201; .4301;
 .4510; .4600; .4711; .4731; .4850; .4900; .4930; .5000;
 .5010; .5120; .5160; .5200; .5220; .5310; .5380; .5450;
 .5520; .5551; .5580; .5611; .5900 (proposed) 1307
 3520.2700; .3701 s.6; .4831; .4850 s.1; .5310 s.4; .5461;
 .5611 s.30; .5900 s.4 (proposed repealer) 1317
 3525.1329; .1333; .1341; .1343; .2925 (proposed) 885

Minnesota Arts Education Center

3600.0010; .0030; .0040; .0060; .0070 (adopted) 1229

Technical Colleges Board

3700.0470 (adopted) 850
 3700.0565 (proposed) 1271
 3515.5500 s.9 (repealed) 850

Employee Relations

3920.0100; .0200; .0300; .0400; .0500; .0600; .0700;
 .0800; .0900; .1000; .1100; .1200; .1300 (adopted) 712

Health Department

4610.2300; .4622.0100; .0300; .0400; .0600; .0700; .0900; .1000;
 .1050; .1150; .1200; .4655.9070; .4675.2205 (proposed) 900
 4643.0100; .0015; .0020; .0030; .0040 (adopted) 1021
 4655.1100; .1110; .1120; .1130; .1140; .1150
 (proposed emergency) 1165
 4675.2200; .2300; .2400; .2500; .2600 (proposed repealer) 913
 4670.1320; .4210; .4220; .4230; .4240 (proposed) 897
 4685.0100; .1010; .1115; .3300 (proposed) 888
 4685.0100 s.8a; .1000 (proposed repealer) 897
 4761.0100; .0200; .0300; .0400; .0500; .0600; .0700;
 .0710; .0720; .0730; .0740; .0750; .0760; .0780; .0790;
 .0795 (proposed) 1383
 4760.0010; .0015 s.1,2,3,4,5, and 7; .0030; .0040; .0045; .0050;
 .0500; .0510 s.1,2,4,5,6,7, and 8; .0530 s.1; .0540 (proposed
 repealer) 1392

Higher Education Coordinating Board

4810.3010; .3030; .3040; 4811.0100; .0120; .0130;
 .0140; .0150; .0160; .0170; 4812.0100; .0110; .0120;
 .0130; .0140; .0150; .0160; .0170 (adopted) 1021
 4830.8510; .8535; .8540; .8550; .8570; .8575 (adopted) 712
 4830.8560; .8580 (repealed) 712

Housing Finance Agency

4900.0900; .0920; .1030 (proposed) 838
 4900.0900; .0920; .1030 (proposed) 1138
 4900.1540 (proposed) 840
 4900.1540 (proposed) 1139
 4900.2005 (proposed) 841
 4900.2005 s.4 (proposed repealer) 842
 4900.2005 (proposed) 1137
 4900.2005 s.4 (proposed repealer) 1137

Labor and Industry Department

5205.0010; .1230; 5207.0410 (adopted) 1273
 5205.1240; .1250; .1260; .1270; .1280; .1290; .1300
 (repealed) 1273
 5210.0150 (proposed) 1270
 5218.0100; .0210; .0220; .0230; .1000; .2000; .3000;
 .4000; .5000; .6000; .7000; .8000; .9000 (adopted
 emergency) 923

Medical Practice Board

5600.2500 (proposed) 1193

Natural Resources Department

6132.0100; .0200; .0300; .1000; .1100; .1200; .1300;

.1400; .2000; .2100; .2200; .2300; .2400; .2500; .2600;
 .2700; .2800; .2900; .3000; .3100; .3200; .4000; .4100;
 .4200; .4300; .4400; .4500; .4600; .4700; .4800; .4900;
 .5000; .5100; .5200; .5300 (proposed) 946
 6232.1700; 6236.0700; .0900; .1000 (adopted emergency) ... 1274
 6287.0100; .0200; .0300; .0400; .0500; .0600; .0700;
 .0800; .0900 (proposed) 1140

Pharmacy Board

6800.0100; .0300; .0350; .0500; .0700; .0800; .0910;
 .0950; .1010; .1050; .1150; .1210; .1250; .1300; .1460;
 .1500; .2150; .2250; .2300; .2400; .2500; .2700; .2810;
 .3000; .3100; .3110; .3120; .3300; .3350; .3400; .3450;
 .3510; .3850; .3950; .4150; .4210; .4220; .4230; .4240;
 .4250; .4400; .4500; .4600; .4700; .5100; .5200; .5300;
 .5350; .5400; .5600; .6200; .6300; .6500; .6700; .7100;
 .7510; .7520; .7530; .7900; .7950; .8000; .8001; .8002;
 .8003; .8004; .8005; .8006; .8008; .8100; .8300; .8400;
 .8500; .8600; .8700; .9200; .9700; .9900; .9923; .9924;
 .9950; .9951; .9952; .9953; .9954 (proposed) 1317
 6800.4400 s.2; .7400 s.6 (proposed repealer) 1350

Pollution Control Agency

7035.0300; 7037.0100; .0200; .0300; .0400; .0500;
 .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300;
 .1400; .1500; .1600; .1700; .1800; .1900; .2000; .2100;
 .2200; .2300; .2400; .2500; .2600; .2700; .2800; .2900;
 .3000; .3100; .3200; .3300; .3400; .3500; .3600; .3700;
 (proposed) 1194
 7044.0100; .0200; .0250; .0350; .0450; .0600; .0650;
 .0750; .0850; .0950; .1100 (proposed) 1392
 7044.0200 s.5,6, and 8; .0500 s.2; .1200 (proposed repealer) . 1396

Psychology Board

7200.0100; .3400; .3610; .3810; .3820; .3830; .3840
 (proposed) 1215
 7200.0650; .1300; .3000; .3400; .6100; (proposed) 1218
 7200.0100; .0600; .0700; .0800; .0810; .1300; .1900;
 .2000; .2300; .2500; .3000; .3620; .4500; .4900; .5100;
 .5300; .6000; (proposed) 1222
 7200.0100 s.4,10; .3900; .6000 s.3,4, and 5
 (proposed repealer) 1228
 7200.6160 (proposed) 1228

Public Safety Department

7403.0100; .0200; .0300; .0400; .0500; .0600; .0800;
 .0850; .0900; .1200; .1300; .1400 (proposed) 1146
 7403.0100 s.5; .0400 s.3; .0500 s.2; .0600 s.2; .0700; .0800 s.3;
 .0900 s.5; .1000; .1100 (proposed repealer) 1152
 7504.0100; .0200; .0300; .0400; .0500; .0600
 (adopted emergency rules) 1167
 7505.3100; .3200; .3400; .3500; .3700; .3800; .3900;
 .4000 (proposed) 1397
 7505.3000 (proposed repealer) 1399
 7520.0650; .1000; .1100 (proposed) 919

Gambling Control Board

7861.0010; .0120; 7865.0025 (proposed) 1122
 7861.0010; .0060; .0100; .7863.0020 (proposed) 1128
 7861.0100 s.1,4 and 5 (proposed repealer) 1137

Revenue Department

8130.2100 (proposed) 847
 8130.5500 (proposed) 969
 8130.2000; .5500 s.3,4,5 (proposed repealer) 976
 8130.9250 (proposed) 1399
 8130.9200 (proposed repealer) 1403

Minnesota Rules: Amendments & Additions

8130.9700 (proposed)	1353
8130.9700 s.6 (proposed repealer)	1356
8130.9910 (proposed)	1351
8160.0300 (proposed)	1152
8160.0620; .0630 (proposed)	1152
8165.0100 (adopted)	1229

Water and Soil Resources Board

8420.0100; .0105; .0110; .0112; .0115; .0120; .0200; .0210; .0220; .0230; .0235; .0240; .0245; .0250; .0260; .0270; .0280; .0290; .0300; .0350; .0400; .0500; .0505; .0510; .0520; .0530; .0540; .0550; .0600; .0610; .0620; .0630; .0700; .0720; .0730; .0740; .0750; .0760; .1010; .1020; .1030; .1040; .1050; .1060 (proposed)	976
--	-----

Teaching Board

8700.0210; 8750.3010 (proposed)	1403
---------------------------------	------

Transportation Department

8820.0100; .2500; .4000; .4010; .4020; .4030; .4040; .4050; .4060; .4070; .4080; .4090; .9980; .9985; .9990 (proposed)	705
--	-----

Veterinary Medicine Board

9100.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900 (proposed)	1155
---	------

Waste Management Office

9215.0500; .0510; .0520; .0530; .0540; .0550; .0560; .0570; .0580; .0590; .0600; .0610; .0620; .0630; .0640;	
---	--

.0650; .0660; .0670; .0680; .0690; .0700; .0710; .0720; .0730; .0740; .0750; .0760; .0770; .0780; .0790; .0800; .0810; .0820; .0830; .0840; .0850; .0860; .0870; .0890; .0900; .0910; .0920; .0930; .0940; .0950 (adopted)	1405
9215.0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170; .0180; .0190; .0200; .0210; .0220; .0230; .0240; .0250; .0300; .0310; .0320; .0330; .0340; .0350; .0360; .0370; .0380; .0390; .0400; .0410; .0420 (repealed)	1405

Human Services Department

9505.0175; .0221; .0287; .0365 (proposed)	842
9505.0365 s.4 (proposed repealer)	847
9506.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110 (proposed emergency)	768
9510.2000; .2010; .2020; .2030; .2040; .2050 (proposed)	1266
9525.3010; .3015; .3020; .3025; .3030; .3035; .3040; .3045; .3050; .3055; .3060; .3065; .3070; .3075; .3080; .3085; .3090; .3095; .3100 (proposed)	768
9535.1700; .1705; .1710; .1715; .1720; .1725; .1730; .1735; .1740; .1745; .1750; .1755; .1760 (adopted)	922
9535.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800; .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600 (repealed)	922
9553.0035; .0040; .0050; .0060 (adopted)	784
9575.0350; .1500 (proposed)	913

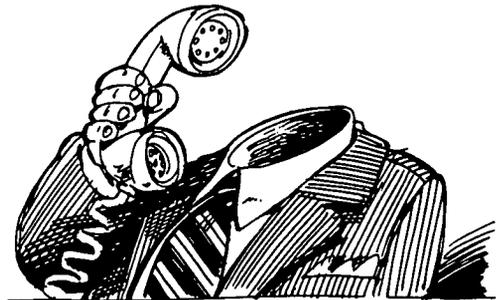
State Treasurer Office

9700.0100; .0200; .0300; .0400 (adopted)	1357
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Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Health

Proposed Permanent Rules Relating to Lead Abatement

Notice of Intent to Adopt a Rule Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Introduction. The Minnesota Department of Health intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rule by 4:30 p.m., January 6, 1993, a public hearing will be held on January 19, 1993. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after January 6, 1993 and before January 19, 1993.

Agency Contact Person. Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Douglas Benson, lead unit
Division of Environmental Health
Minnesota Department of Health
925 S.E. Delaware Street, P.O. Box 59040
Minneapolis, Minnesota 55459-0040
(612) 627-5017 FAX (612) 627-5479

Subject of Rule and Statutory Authority. The proposed rules revise existing lead abatement rules and propose new rules relating to lead abatement. The proposed rules give effect to statutes pertaining to licensure and certification of contractors and workers, training for licensure or certification, and training course approval. The rules revise the standard for lead in drinking water and establish licensure, certification and course approval fees. The proposed rules also renumber existing rules containing standards for lead in soil and priorities for abatement response that were transferred from the Minnesota Pollution Control Agency to the Minnesota Department of Health.

The statutory authority to adopt the proposed rule is found in *Minnesota Statutes*, section 144.878, as amended by *Laws of Minnesota 1992*, chapter 513, article 5, section 7, subdivision 2; *Minnesota Statutes*, section 144.878, subdivision 5 as adopted in *Laws of Minnesota 1992*, chapter 522, section 22 and chapter 595, section 22; *Laws of Minnesota 1992*, chapter 522, section 47 and chapter 595, section 28; and *Minnesota Statutes*, sections 144.05 and 144.12.

A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed. A free copy of the proposed rule is available on request from Douglas Benson.

Comments. You have 30 calendar days, until 4:30 p.m. on January 6, 1993, to submit written comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and received by Douglas Benson by 4:30 p.m., January 6, 1993. Comment is encouraged. Your comments should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

Request for a Hearing. In addition to submitting comments, you have 30 calendar days to request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by Douglas Benson by 4:30 p.m. on January 6, 1993. Your written request for a public hearing must include your name, address, and telephone number. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing.

Modifications. The proposed rule may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must not result in a substantial change in the proposed rule as attached and printed in the *State Register* and must be supported by data and views submitted to the agency or presented at the hearing. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for January 19, 1993 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Douglas Benson at (612) 627-5017 after January 6, 1993 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on January 19, 1993 at the Sunwood Inn—Bandana Square, 1010 Bandana Boulevard West, St. Paul, Minnesota beginning at 9:00 a.m. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearing is Jon L. Lunde. Judge Lunde can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7645.

Hearing Procedure. If a hearing is held, you and all interested or affected persons including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the agency may respond in writing within five business days after the submission period ends to any new information submitted. All written materials and responses submitted to the administrative law judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the five-day period. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the administrative law judge.

STATEMENT OF NEED AND REASONABLENESS. A statement of need and reasonableness is now available for review at the agency from Douglas Benson and at the Office of Administrative Hearings. This statement describes the need for and reasonableness of each provision of the proposed rule. This statement of need and reasonableness includes a summary of all the evidence and argument which the department anticipates presenting at the hearing, if one is held. Copies of the statement may also be reviewed at the agency and copies obtained at the cost of reproduction from the Office of Administrative Hearings.

Small Business Considerations. The department is subject to *Minnesota Statutes*, section 14.115 pertaining to small business considerations in rulemaking. The department's evaluation of the applicability of the methods contained in *Minnesota Statutes*, section 14.115, subdivision 2, for reducing the impact of the proposed rules is addressed in the statement of need and reasonableness.

Expenditure of Public Money by Local Public Bodies. The adoption of the proposed rules will not require the expenditure of public money by local public bodies of greater than \$100,000 in the two years following promulgation. *Minnesota Statutes*, section 144.874, subdivision 1 as amended by *Laws of Minnesota 1992*, chapter 522, section 15 and chapter 595, section 15, require boards of health to conduct residence assessments as recommended by the Centers for Disease Control. The statutory change in the definition of "elevated blood lead level" will increase the number of legislatively-mandated residence assessments. Other mandated duties are contingent on state or federal funding and would not result in a net increase in costs to board of health.

Impact on Agriculture Lands. The adoption of the proposed rules will not have a direct and substantial adverse impact on agricultural land, therefore no further information need be provided under *Minnesota Statutes*, section 14.11.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board, First Floor South, Centennial Office Building, St. Paul, Minnesota, 55155, telephone: (612) 296-5148.

Adoption Procedure if No Hearing. If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent the form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the

attorney general's decision on the rule. If you want to be so notified, or wish to receive a copy of the adopted rule, submit your request to Douglas Benson.

Adoption Procedure After the Hearing. If a hearing is held, after the close of the hearing record, the administrative law judge will issue a report on the proposed rule. You may request to be notified of the date on which the administrative law judge's report will be available, after which date the agency may not take any final action on the rule for a period of five working days. If you want to be notified about the report, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the administrative law judge. You may also request notification of the date on which the rule is adopted and filed with the Secretary of State. The agency's notice of adoption must be mailed on the same day the rule is filed. If you want to be notified of the adoption, you may so indicate at the hearing or send a request in writing to the agency contact person any time prior to the filing of the rule with the Secretary of State.

Dated: 19 November 1992

Marlene E. Marschall
Commissioner of Health

Rules as Proposed

4761.0100 APPLICABILITY.

~~Parts 4761.0100 to 4761.0800 apply~~ Chapter 4761 applies to anyone any person performing or ordering performance of lead abatement on residential sources of lead exposure to people or the environment property and playgrounds. In addition to lead abatement contractors and boards of health, this applicability includes, but is not limited to: a property owner who personally performs lead abatement, either under an order to abate or voluntarily, on a residence that the owner occupies; and a tenant who personally performs lead abatement on a residence that the tenant occupies.

4761.0200 DEFINITIONS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Abrasive blasting.** "Abrasive blasting" ~~means the use of air pressure and an abrasive grit to remove a surface coating~~ has the meaning given in part 7005.6020, subpart 2.

Subp. 5. **Assessment.** "Assessment" means preabatement sampling and analysis of residential property and playgrounds, as described in part 4761.0400; ~~for sources of lead exposure in a residence.~~

Subp. 6. **Bare soil.** "Bare soil" ~~has the meaning given in part 4760.0015~~ means an outdoor area where soil is visible over a continuous area of one square foot or more.

[For text of subp 7, see M.R.]

Subp. 7a. **Child.** "Child" means a child as described in Minnesota Statutes, section 144.871.

[For text of subp 8, see M.R.]

Subp. 9. **Elevated blood lead level.** "Elevated blood lead level" means at least ~~25~~ ten micrograms of lead per deciliter of whole blood.

[For text of subs 10 to 12, see M.R.]

Subp. 12a. **Lead abatement trainer.** "Lead abatement trainer" means an individual who educates contractors, workers, or other trainers about lead abatement.

Subp. 12b. **Lead abatement worker.** "Lead abatement worker" means an individual employed directly or indirectly to perform lead abatement as defined in Minnesota Statutes, section 144.871, subdivision 2.

Subp. 13. **Modified-wet abrasive blasting.** "Modified-wet abrasive blasting" means abrasive blasting with the addition of a minimum quantity of water to the air and abrasive stream so that dispersal of particulate matter is suppressed but there is no adherence of waste material to the substrate has the meaning given in part 7005.6020, subpart 8.

Subp. 13a. **Person.** "Person" has the meaning given in Minnesota Statutes, section 1031.005, subdivision 16.

Subp. 13c. **Point-of-use device.** "Point-of-use device" means a filter or water conditioner for drinking water that is attached at the tap.

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Proposed Rules

Subp. 14. **Reassessment.** "Reassessment" means postabatement sampling and analysis of residential property and playgrounds, as described in part 4761.0600, for sources of lead exposure in a residence.

[For text of subp 15, see M.R.]

Subp. 15b. **Response action.** "Response action" means action to limit exposure to lead contaminated bare soil sites, including fencing, covering sites with vegetation, removal and replacement of contaminated bare soil, and other appropriate action.

Subp. 15d. **Sponsor.** "Sponsor" means the person responsible for organizing and presenting a lead abatement training course or lead abatement annual refresher course to another person or group of persons.

[For text of subp 16, see M.R.]

Subp. 16a. **Swab team.** "Swab team" has the meaning given in Minnesota Statutes, section 144.871, subdivision 9.

Subp. 17. **Vacuum blasting.** "Vacuum blasting" means dry abrasive blasting with a blast nozzle that is surrounded by a chamber under negative air pressure that is held against the coated surface has the meaning given in part 7005.6020, subpart 14.

[For text of subps 18 to 21, see M.R.]

4761.0300 STANDARDS.

Subpart 1. **Paint.** Residential paint must not:

A. contain lead in a concentration of one-half of one percent (5,000 parts per million) or more by dry weight as measured by quantitative chemical analysis; or

B. register one milligram of lead per square centimeter or more as measured by x-ray fluorescence analyzer unless laboratory quantitative chemical analysis shows that the lead content is less than one-half of one percent by dry weight.

[For text of subp 2, see M.R.]

Subp. 3. **Drinking water.** Drinking water must not contain ~~50~~ 15 micrograms of lead or more per liter of water.

4761.0400 ASSESSMENT.

Subpart 1. **General.** A board of health must conduct an assessment of the residential property and playground and act on the findings of ~~an~~ the assessment as described in this part. If an assessment of the residential property or playground fails to identify one or more probable sources of lead exposure, then the board of health must provide information to the resident identifying the following as possible sources of lead exposure:

A. painted articles including toys and furniture;

B. metal objects including toys, jewelry, gunshot, bullets, beads, fishing sinkers, and collapsible dispensing tubes;

C. printed material, especially colored pictures in magazines and newspapers;

D. ceramic containers;

E. matches;

F. tobacco items;

G. cosmetics and their containers, especially hair preparations and folk cosmetics;

H. folk remedies including azarcon, greta, kohl, surman, and pay-loo-ah;

I. cans of shellac, lacquer, drying agents, pigments, epoxy resins, pipe sealants, putty, dyes, industrial crayons, gasoline, and paint;

J. fungicides, insecticides, and pesticides;

K. batteries and battery casings;

L. materials burned for heat including painted wood and battery casings;

M. parents' occupations; and

N. other locations where the child regularly spends time.

Subp. 2. **Assessment required.** A board of health must conduct an assessment of a residence to determine sources of lead exposure if a pregnant woman in the residence has a blood lead level of at least ten micrograms per deciliter or if a child in the residence has ~~an elevated~~ a blood lead level of at least 20 micrograms per deciliter or has had a blood lead level of at least 15 but less than 20 micrograms per deciliter for 90 days. A board of health may contract for assessments. Notwithstanding any requirement in subparts 4, 5, and 6, a board of health need not test any material that would not be subject to an order, such as intact paint that is not dust-producing, and need not test any material that the property owner agrees in writing to abate as a lead source.

Subp. 3. **Abatement required.** A board of health must order a property owner to perform abatement on a lead source that exceeds a standard in part 4761.0300 or a ~~soil standard adopted by the Pollution Control Agency under *Minnesota Statutes*, section 144.878, subdivision 2, paragraph (b),~~ at the residence of a pregnant woman who has a blood lead level of at least ten micrograms per deciliter or of a child who has ~~an elevated~~ a blood lead level of at least 20 micrograms per deciliter or who has had a blood lead level of at least 15 but less than 20 micrograms per deciliter for 90 days.

Subp. 4. **Paint.** In conducting an assessment, a board of health must test paint in a residence built prior to February 27, 1978, and must test paint from each type of surface, such as a wall, floor, window well, windowsill, ceiling, shelf, door, or fixture. A board of health must test ~~all~~ deteriorating paint and must test intact paint on surfaces that are accessible to small children as chewable or lead-dust producing surfaces and that are sources of actual lead exposure. A board of health is not required to test paint on every surface within a residence. The selected surfaces must be tested by either:

[For text of items A and B, see M.R.]

Subp. 5. **Dust.** In conducting an assessment, a board of health must test dust from each type of horizontal hard surface, such as a floor, window well, windowsill, shelf, or fixture. Carpeting, if any, must be tested for lead in dust nearest the main entrance to the residence and elsewhere within the residence if the carpet appears to the board of health to be in a soiled or worn condition or has not been subject to regular cleaning with a vacuum cleaner. A board of health must also test dust from surfaces that are accessible to small children, that are lead-dust producing, and that are actual sources of lead exposure. A board of health is not required to test dust on every surface within a residence. Dust samples from hard surfaces must be analyzed by a method approved by the United States Environmental Protection Agency as described in subpart 4, item B. Dust samples from carpeting must be analyzed by a method described in "Determination of Lead in Soil," Soil Testing and Research Analytical Laboratories, Department of Soil Science/Agricultural Experiment Station, University of Minnesota, Saint Paul, Minnesota, July 1990. This publication is incorporated by reference and is available through the Minitex interlibrary loan system. This publication is not subject to frequent change. A dust sample must be collected from an area of one square foot, if possible. For hard surfaces, either the method described in item A or B may be used. For carpeting, the method described in item B must be used. If the method in item B fails to collect enough of a dust sample from carpeting to conduct analysis, then the carpeting is considered to be in compliance. The information listed in item C must be recorded for each dust sample.

[For text of item A, see M.R.]

B. The person collecting the dust sample must use the following method:

- (1) use a calibrated air pump at a flow rate of at least ~~two~~ five liters of air per minute to draw air and dust into the sampling port of a filter cassette containing a high efficiency particulate filter through a three-millimeter interior diameter sampling tube cut at a 45-degree angle;
- (2) pass the sampling tube over the surface three times, alternating directions; and
- (3) disconnect and seal the filter cassette until analysis.

[For text of item C, see M.R.]

Subp. 6. **Drinking water.** In conducting an assessment, the board of health must test the drinking water in the residence. ~~Drinking water must be collected by the method described in "Lead in School's Drinking Water," prepared by the Office of Drinking Water, United States Environmental Protection Agency, Document EPA 570/9-89-001, January 1989. This publication is incorporated by reference and is available through the Minitex interlibrary loan system. This publication is not subject to frequent change. One liter of tap water that has been in plumbing pipes at least six hours must be collected without running any water to waste. This water sample must be drawn directly from either the cold-water kitchen tap or cold-water bathroom tap. A point-of-use device must be disconnected or bypassed while the sample is collected.~~ Drinking water must be analyzed by a method approved by the United States Environmental Protection Agency in *Code of Federal Regulations*, chapter 40, part 136, table 1B "List of Approved Inorganic Test Procedures for Atomic Absorption or Inductively Coupled Plasma," Washington, D.C., Government Printing Office.

Subp. 7. **Bare soil.** In conducting an assessment, the board of health must test bare soil from the residence. The board of health need not collect and test soil from the residence for possible soil lead if the property owner agrees to treat the bare soil according to the abatement procedures adopted by the Pollution Control Agency under *Minnesota Statutes*, section 144.878, subdivision 2, paragraph (b). Soil must be collected according to items A to F and must be analyzed by a method described in "Determination of Lead in Soil," prepared by the Soil Testing and Research Analytical Laboratories, Department of Soil Science/Agricultural Experiment Station,

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Proposed Rules

University of Minnesota, Saint Paul, Minnesota, July 1990. This publication is available through the Minitex interlibrary loan system and is incorporated by reference. This publication is not subject to frequent change.

[For text of items A to F, see M.R.]

Subp. 8. **Bare soil assessment beyond a residence.** If a board of health undertakes the assessment of lead contamination in an area beyond a residence, the board of health must conduct the assessment according to the methods described in this subpart.

[For text of items A to F, see M.R.]

4761.0500 LEAD ABATEMENT METHODS.

Subpart 1. **General.** Any person performing lead abatement must use the preparations, abatement methods, and cleanup methods in this part. In addition, this part applies whether the abatement was ordered by a board of health or undertaken voluntarily. Lead abatement ordered by a board of health must not begin until an assessment of lead sources within the residence is completed by the board of health according to part 4761.0400 or until the property owner agrees in writing with the board of health to treat all paint, ~~and~~ drinking water, and bare soil according to the requirements of this part.

[For text of subps 2 to 8, see M.R.]

Subp. 9. **Bare soil abatement.** The abatement methods prescribed in this subpart and subparts 10 to 14 apply to a person conducting abatement of bare soil that has been determined to exceed the bare soil standard established in part 4761.0300.

Unless the bare soil contains visible paint chips, a person who is performing abatement of bare soil may elect either to cover the bare soil to prevent exposure or to remove the soil. Depending on which alternative is selected, the person must comply with the requirements applicable to the alternative selected.

Subp. 10. **Soil cover.** A person performing abatement of bare soil by covering the soil must comply with the requirements in items A to C.

A. Living ground cover. If the person intends to cover the bare soil with sod or other living material, the person must first till and rake the soil before laying the sod or other living material.

B. Impervious cover. If the person intends to cover the bare soil with concrete, asphalt, or other similar material, the person must compact the soil prior to laying the concrete, asphalt, or other similar material.

C. Other cover material. If the person intends to cover the bare soil with sand, wood chips, or other nonliving, pervious material, no preparation to the bare soil is required prior to application of the sand, wood chips, or other material.

Subp. 11. **Soil removal.** A person performing abatement of bare soil must remove the soil if the soil contains visible paint chips. A person performing abatement of bare soil by removing the soil must either remove the soil from the premises and dispose of it in accordance with requirements of the Pollution Control Agency or bury the soil on the property under clean soil that has been excavated from the premises. In the event the commissioner determines that burial of the bare soil on the premises would threaten the groundwater or cause other environmental damage, the bare soil must be removed from the premises and disposed of in accordance with requirements of the Pollution Control Agency.

Subp. 12. **Abatement implementation.** A person who is performing abatement of bare soil, regardless of the method selected or required, must comply with items A to D.

A. Children must be prohibited from playing or otherwise coming in contact with the soil being disrupted during abatement.

B. Soil that is removed must be properly stored or disposed of at the end of each work day.

C. Soil on steps and walkways must be removed and steps, walkways, and foundations must be hosed off with water at the end of each work day and before replacing soil or new sod each day.

D. During installation of the soil cover, the person performing the abatement must keep the soil moist.

Subp. 13. **Abatement priority.** If abatement of bare soil is done at a residential property or a playground in conjunction with other types of lead abatement, the abatement of the bare soil must be done after paint abatement but before interior dust abatement.

Subp. 14. **Abatement area.** In the event data establish that only a portion of the bare soil on a residential property or playground exceeds the bare soil standard, the person performing abatement is only required to abate the bare soil that exceeds the standard.

4761.0600 REASSESSMENT.

Subpart 1. **Reassessment required.** Abatement of lead in paint ~~and~~ dust, drinking water, and bare soil is considered successfully completed when reassessment demonstrates compliance with standards in part 4761.0300. A board of health must conduct the reassessment of a residence or playground for which orders were issued under part 4761.0400, subpart 1.

Subp. 2. **Sample collection.** In conducting a reassessment, a board of health must collect interior dust samples from each type of horizontal surface that has been abated or exposed to dust from abatement. A board of health is not required to sample dust from

every surface within a residence. A board of health must collect dust samples according to the method described in part 4761.0400, subpart 5. A board of health must collect a one-liter water sample after running water to waste for 30 seconds from the tap from which the original sample was drawn. A point-of-use device must be disconnected or bypassed while the sample is collected unless the board of health orders that a point-of-use device be used to remove lead.

Subp. 3. **Sample analysis.** Dust samples must be analyzed by a method described in part 4761.0400. A water sample must be analyzed by the method described in part 4761.0400, subpart 6.

4761.0700 LEAD ABATEMENT CONTRACTOR DUTIES.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Registration License and certificate.** As required by Minnesota Statutes, section 144.876, an A lead abatement contractor must register with the commissioner. Prior to commencing the initial lead abatement project, an abatement contractor must register with the commissioner's designee by providing the company name, telephone number, and address, general contractor's license number, if any, and the name of at least one contact person obtain a license as required by part 4761.0710 and must ensure that each lead abatement worker employed by the contractor has obtained a certificate as required by part 4761.0720.

Subp. 4. **Swab team.** Each member of a swab team is required to be a certified lead abatement worker.

4761.0710 LICENSING REQUIREMENTS FOR LEAD ABATEMENT CONTRACTORS.

Subpart 1. **License required.** A lead abatement contractor must obtain a license before doing lead abatement and must renew it annually. The license must be readily available at the contractor's primary place of business for inspection by the commissioner or by staff of a board of health with jurisdiction over a worksite. A license cannot be transferred. A property owner who personally performs lead abatement on a residence that the property owner occupies is not required to obtain this license but must comply with part 4761.0500.

Subp. 2. **License application.** An application for license or license renewal must be on a form provided by the commissioner and must include:

A. a \$100 nonrefundable fee, in the form of a check; and

B. evidence that the applicant has successfully completed the lead abatement training course identified in part 4761.0740, subpart 1, or has, within the previous 180 days, successfully completed an initial lead abatement training course approved under part 4761.0740.

Subp. 3. **License renewal.** A license is valid for one year from the issuance date unless the commissioner revokes it. An applicant must successfully complete either an initial lead abatement training course or an annual refresher lead abatement training course to apply for license renewal.

Subp. 4. **License replacement.** A licensed lead abatement contractor may obtain a replacement license by reapplying for a license. A replacement expires on the same date as the original license. A nonrefundable \$50 fee is required with each replacement application.

Subp. 5. **Denial of license application.** An application for licensure or a replacement license must be denied for a reason listed in part 4761.0750, subpart 1. An applicant who submits an approvable application within 60 days of initial denial is not required to pay a second fee.

4761.0720 CERTIFICATION OF LEAD ABATEMENT WORKERS.

Subpart 1. **Certificate required.** A lead abatement worker must obtain a certificate before doing lead abatement and must renew it annually. The lead abatement worker must have the certificate readily available at lead abatement worksites for inspection by the commissioner or by staff of a board of health with jurisdiction at a worksite. A certificate must not be copied and cannot be transferred. A property owner who personally performs lead abatement on a residence that the property owner occupies is not required to have a lead abatement worker's certificate but must comply with part 4761.0500.

Subp. 2. **Certificate application.** An application for certification and certificate renewal must:

A. be on a form provided by the commissioner and include a nonrefundable fee of \$50 in the form of a check; and

B. include evidence that the applicant has successfully completed the training course identified in part 4761.0740, subpart 1, or has, within the previous 180 days, successfully completed an initial lead abatement training course approved under part 4761.0740.

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Proposed Rules

Subp. 3. Certificate renewal. A certificate is valid for one year from the issuance date unless the commissioner revokes it. An applicant must successfully complete either an initial lead abatement training course or an annual refresher lead abatement training course to apply for certificate renewal.

Subp. 4. Certificate replacement. A lead abatement worker may obtain a replacement by reapplying for a certificate. A replacement expires on the same date as the original certificate. A nonrefundable \$25 fee is required with each application for a replacement certificate.

Subp. 5. Denial of certificate application. An application for certification or a replacement certificate must be denied for a reason listed in part 4761.0750, subpart 1. A person who submits an approvable application within 60 days of initial denial is not required to pay a second fee.

4761.0730 CERTIFICATION OF LEAD ABATEMENT TRAINERS.

Subpart 1. Certificate required. A person who provides lead abatement training, which is not part of a lead abatement training course approved under part 4761.0740, must obtain a certificate before providing lead abatement training and must renew it annually. A lead abatement trainer must have the certificate readily available at training sites for inspection by the commissioner or by staff of a board of health with jurisdiction at a training site. A certificate must not be copied and cannot be transferred.

Subp. 2. Certificate application. An application for certification and certificate renewal must:

A. be on a form provided by the commissioner and include a nonrefundable fee of \$50 in the form of a check; and

B. include evidence that the applicant has successfully completed the training course identified in part 4761.0740, subpart 1, or has, within the previous 180 days, successfully completed an initial lead abatement training course approved under part 4761.0740.

Subp. 3. Certificate renewal. A certificate is valid for one year from the issuance date unless the commissioner revokes it. An applicant must successfully complete either an initial lead abatement training course or an annual refresher lead abatement training course to apply for certificate renewal.

Subp. 4. Certificate replacement. A lead abatement trainer may obtain a replacement certificate by reapplying for a certificate. A replacement expires on the same date as the original certificate. A nonrefundable \$25 fee is required with each replacement application.

Subp. 5. Denial of certificate application. An application for certification or a replacement certificate must be denied for a reason listed in part 4761.0750, subpart 1. A person who submits an approvable application within 60 days of denial is not required to pay a second fee.

4761.0740 APPROVAL OF LEAD ABATEMENT TRAINING COURSES.

Subpart 1. Approved lead abatement training course. The course titled "Lead-Based Paint Detection and Abatement in Residential Housing," presented March 31 to April 2, 1992, under contract to the Department of Health is an approved initial lead abatement training course. A lead abatement course sponsored by a regional lead training center established by the United States Environmental Protection Agency is also an approved initial lead abatement training course.

Subp. 2. Approval of lead abatement training course. A sponsor of a lead abatement initial or annual refresher training course must meet the requirements in this part and must be approved by the commissioner in writing. A sponsor must present the course at least annually and renew approval biennially. At least 90 days before the start of a lead abatement training course, a sponsor must inform the commissioner in writing of the schedule for the course. A sponsor must permit the commissioner to attend, evaluate, and monitor a lead abatement training course and course examinations at no cost. The commissioner need not give advance notice of attendance. An application must be on a form provided by the commissioner and must include:

A. a \$100 nonrefundable fee, in the form of a check;

B. the course instructors' qualifications in presenting adult education and in lead abatement;

C. the course outline and manual and a description of the presentation method, such as live lecture or videotape, for each topic; and

D. copies of any materials to be projected, such as photographic slides.

Subp. 3. Initial lead abatement training course requirements. An initial lead abatement training course must meet the requirements of this subpart to be approved. Videotapes may be used to present topics but an instructor must be present to answer questions. Live lectures must be provided on any change in federal or state laws governing lead abatement during the preceding year. An examination must be provided that addresses all the topics in item E. When the commissioner prepares a standard examination, the standard examination must be administered to course participants. For an initial lead abatement training course, a sponsor must:

A. require that course participants attend the entire training course as a condition for successful course completion and maintain a daily sign-in attendance sheet to document attendance at each training course and provide a copy of this record to the commissioner;

B. ensure that demonstrations and hands-on training are taught by instructors with experience in lead abatement;

C. administer and monitor a written, closed-book examination and ensure that the examination is passed on personal merit;

D. present an initial training course that lasts at least three days of eight hours each, minus breaks and lunch;

E. address the following topics:

(1) history of the commercial use of lead;

(2) health effects of lead exposure on children and adults, especially lead abatement workers;

(3) chapter 4761;

(4) lead abatement requirements of the United States Department of Housing and Urban Development as described in "Lead-Based Paint: Interim Guidelines for Hazard Identification and Abatement in Public and Indian Housing," September 1990, Office of Public and Indian Housing;

(5) lead exposure regulations under the Occupational Safety and Health Act, Code of Federal Regulations, title 29, section 1910;

(6) legal and insurance issues related to lead abatement;

(7) respiratory protection including hands-on respirator inspection, cleaning, and fit testing;

(8) personal protective clothing and equipment including demonstrations of use;

(9) lead abatement methods including removal, replacement, and encapsulation;

(10) site preparation including containment methods and cleanup including demonstrations of a high efficiency particle accumulator vacuum;

(11) planning lead abatement work including contract specifications and project management;

(12) clearance criteria; and

(13) residential sources of asbestos; and

F. after July 1, 1993, in addition to item D, an initial lead abatement training course must include an eight-hour session on lead abatement training in which each participant practices use of personal protection equipment, site preparation, lead abatement methods, and cleanup.

Subp. 4. Annual refresher lead abatement course requirements. An annual refresher lead abatement training course must meet the requirements of subpart 3, items A, B, and C, and must last at least eight hours, minus breaks and lunch, to be approved. Videotapes may be used to present course topics but an instructor must be present to answer questions. Live lectures must be presented on any change in federal or state laws governing lead abatement during the preceding year. An examination that addresses all the topics in subpart 3, item E, must be administered. When the commissioner prepares a standard examination, the standard examination must be administered to course participants.

Subp. 5. Duration of lead abatement training course approval. Approval of an initial lead abatement training course or an annual refresher lead abatement training course is valid for two years unless the commissioner revokes the approval.

4761.0750 DISCIPLINARY ACTION.

Subpart 1. Commissioner action. The commissioner may deny an application, revoke, or impose limitations or conditions on a license, certificate, or training course approval if the licensed lead abatement contractor, certified lead abatement worker, certified lead abatement trainer, or approved lead abatement training course sponsor:

A. violates a provision of this chapter;

B. submits an application that is incomplete, inaccurate, lacks the required fee, or submitted an invalid check;

C. obtains a license, certificate, or approval through error, fraud, or cheating;

D. provides false or fraudulent information on forms;

E. aids or allows an unlicensed or uncertified person to engage in activities for which a license or certificate is required;

F. endangers public health or safety;

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Proposed Rules

G. has been convicted during the previous five years of a felony or gross misdemeanor related to residential lead abatement;
or

H. has violated any provision of Minnesota Statutes, section 270.72, 325F.69, or 325F.71.

Subp. 2. Revoked license, certificate, or course approval. An application for licensure, certification, or course approval that has been denied may be resubmitted when the reasons for denial have been corrected. A person whose license, certificate, or course approval is revoked may not apply for a license, certificate, or course approval within one year of the date of revocation. After one year, the application requirements in parts 4761.0710 to 4761.0740, as appropriate, must be followed by an applicant for a license, certificate, or course approval.

4761.0760 PRIORITIES FOR RESPONSE ACTION FOR RESIDENTIAL SITES AND PLAYGROUNDS.

Parts 4761.0760 to 4761.0790 establish procedures for determining priorities for response action for residential sites and playgrounds in the state where soils are found to be contaminated with lead, as required by Minnesota Statutes, section 144.878, subdivision 2a.

4761.0780 ABATEMENT PRIORITY LIST.

A distributing authority shall prepare an abatement priority list that ranks known sites within the distributing authority's jurisdiction according to the priorities established in part 4761.0770. The abatement list must list those known residences and playgrounds that are priority one or priority two and those known census tracts as priority 3A, 3B, 3C, or 3D. The abatement list must be prepared before the distributing authority uses public funds to abate any site.

4761.0790 RESPONSE ACTION.

Subpart 1. Use of public funds. No distributing authority shall authorize public funds for abatement until the authority has prepared an abatement priority list. Public funds shall be used for abatement in order of priority established by the abatement priority list.

Subp. 2. Additional abatement. Nothing in parts 4761.0760 to 4761.0790 shall be construed to preclude any person from abating any site, regardless of priority, if the person pays for the abatement without the use of public funds or if the soil abatement is part of a publicly funded abatement project that is not strictly limited to soil lead abatement.

Subp. 3. Abatement not required. Parts 4761.0760 to 4761.0790 do not require:

A. any person to abate any site at that person's expense; or

B. a distributing authority to abate any site that does not exceed the soil lead standard in part 4761.0300.

4761.0795 LOCAL ENFORCEMENT.

Nothing in this chapter shall be construed to restrict the authority of any local governmental body from enforcing applicable laws regulating the amount of lead in material.

RENUMBERER. Minnesota Rules, parts 4760.0015, subpart 8, is renumbered as 4761.0200, subpart 13b; 4760.0015, subpart 9, is renumbered as 4761.0200, subpart 15a; 4760.0020 is renumbered as 4761.0300, subpart 4; 4760.0510, subpart 3, is renumbered as 4761.0200, subpart 8a; 4760.0510, subpart 9, is renumbered as 4761.0200, subpart 15c; 4760.0520 is renumbered as 4761.0770; 4760.0530, subpart 2, is renumbered as 4761.0780, subpart 2; and 4760.0530, subpart 3, is renumbered as 4761.0780, subpart 3.

REPEALER. Minnesota Rules, parts 4760.0010; 4760.0015, subparts 1, 2, 3, 4, 5, and 7; 4760.0030; 4760.0040; 4760.0045; 4760.0050; 4760.0500; 4760.0510, subparts 1, 2, 4, 5, 6, 7, and 8; 4760.0530, subpart 1; and 4760.0540, are repealed.

Pollution Control Agency

Groundwater and Solid Waste Division

Proposed Permanent Rules Relating to Priority Assessment Criteria

Notice of Intent to Adopt Rules Without a Public Hearing for Proposed Amendments to Priority Assessment Criteria Rules (Minnesota Rules parts 7044.0100 to 7044.1200)

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) intends to adopt the above-entitled rule amendments without a public hearing following the procedures set forth in the Administrative Procedures Act (Minnesota Statutes sections 14.22 to 14.28). The statutory authorities to adopt the amended rules are set forth in Minnesota Statutes sections 14.06 and 115B.17, subd. 13.

All persons have until 4:30 p.m. on January 11, 1993, to submit comments in support of, or in opposition to, the proposed rule amendments or any part or subpart of the amendments. Comment is encouraged. Each comment should identify the portion of the proposed rule amendments addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the proposed rule amendments within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number of commenters withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule amendments addressed, the reason for the request, and any change proposed. If a public hearing is required, the Agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing should be submitted to:

Allen Dotson
Ground Water and Solid Waste Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
(612) 296-7735 1-800-657-3864 (Toll-Free)

The proposed rule amendments may be modified if the modifications are supported by data and views submitted to the Agency and if they do not result in substantial changes to the proposed rule amendments as noticed.

The proposed rule amendments, if adopted, will incorporate into the rules the Environmental Protection Agency's revised Hazard Ranking System model for scoring sites for listing on Minnesota's Permanent List of Priorities (PLP). The proposed amendments also define the roles of the Commissioner of Agriculture in the scoring of sites and in the administration of the PLP. The amendments also propose to re-order the parts of the rules in order to clarify some provisions and to make the rules easier to use.

The proposed rule amendments are published below. One free copy of the rule amendments is available from Allen Dotson at the address and telephone number stated above.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and the reasonableness of each provision of the proposed rule amendments and which identifies the information relied upon to support the proposed rule amendments has been prepared and is available from Allen Dotson upon request.

You are hereby advised, pursuant to *Minnesota Statutes* section 14.115, "Small business considerations in rulemaking," that the proposed rule amendments, if adopted, would not have significant impact on small businesses, including small farms. The Agency's evaluation of the applicability of the methods contained in *Minnesota Statutes* section 14.115, subd. 2, for reducing the impact of proposed rules, is addressed in the Statement of Need and Reasonableness.

If no hearing is required, upon adoption of the rule amendments, the rule amendments and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent form is related to legality. Any person may request notification of the date of submission of this material to the Attorney General, or to receive a copy of the amendments as adopted. Requests shall be submitted to Allen Dotson at the address listed above.

Charles W. Williams
Commissioner

Rules as Proposed

7044.0100 SCOPE.

This chapter governs the procedures for establishing a permanent list of releases or threatened releases of hazardous substances, pollutants, or contaminants required by *Minnesota Statutes*, section 115B.17, subdivision 13. This chapter establishes various classifications for sites with releases or threatened releases, describes the procedures for adding sites with releases or threatened releases to or deleting sites from the permanent list, provides for an annual review and update of the permanent list, establishes the funding priority among classifications and the funding priority within classifications, creates an annual project list, and specifies a ranking system to be used in scoring sites.

7044.0200 DEFINITIONS.

[For text of subpart 1, see M.R.]

Subp. 2. **Miscellaneous terms.** The following terms have the meanings given them in the Environmental Response and Liability Act (ERLA), *Minnesota Statutes*, chapter 115B: ~~agency, commissioner~~ agricultural chemical, Federal Superfund Act, ~~fund~~ account,

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Proposed Rules

hazardous substance, hazardous waste, natural resources, owner of real property, person, pollutant or contaminant, release, remedy or remedial action, remove or removal, respond or response, and water.

Subp. 3. **Advisory.** "Advisory" means a warning by the ~~director~~ commissioner, Minnesota Department of Health, Minnesota Department of Natural Resources, or the Minnesota Department of Agriculture issued to the public concerning a hazardous substance, ~~pollution, or contamination or a pollutant or contaminant,~~ at or near a facility site.

Subp. 3a. **Agency.** "Agency" means the Department of Agriculture for actions, duties, or authorities relating to agricultural chemicals, or the Pollution Control Agency for other substances.

Subp. 3b. **Agricultural chemical site.** "Agricultural chemical site" means a site that is predominately contaminated with agricultural chemicals.

Subp. 3c. **Commissioner.** "Commissioner" means the commissioner of agriculture for actions, duties, or authorities relating to agricultural chemicals or the commissioner of the Pollution Control Agency for other substances.

Subp. 4. **Emergency.** "Emergency" means that there is an imminent risk of fire or explosion, that a temporary water supply is needed where an advisory has been issued, or that immediate adverse human health effects may be anticipated due to direct contact or inhalation and an advisory has been issued a determination by the commissioner that immediate action is required to prevent, minimize, or mitigate damage to the public health or welfare or the environment.

Subp. 5. [See repealer.]

Subp. 5a. **Operation and maintenance.** "Operation and maintenance" means measures required to maintain the effectiveness of response actions.

Subp. 5b. **PCA site.** "PCA site" means a site that is predominately contaminated with substances other than agricultural chemicals.

Subp. 6. [See repealer.]

[For text of subp 7, see M.R.]

Subp. 8. [See repealer.]

~~7044.0400~~ **7044.0250 ADDITION SCORING OF SITES WITH RELEASES OR THREATENED RELEASES FOR ADDITION TO THE PERMANENT LIST OF PRIORITIES.**

The agency shall ~~rate~~ score sites with a ~~release~~ releases or a threatened ~~release~~ releases of hazardous substances, or pollutants or contaminants, using the Hazard Ranking System (HRS) in the *Federal Register*, volume 47, pages 31219 to 31243 (July 16, 1982), as ~~amended by part 7044.1000~~ 7044.0350. The Pollution Control Agency shall score PCA sites with releases or threatened releases of hazardous substances, or pollutants or contaminants. The commissioner of agriculture shall score agricultural chemical sites with releases or threatened releases of hazardous substances, or pollutants or contaminants.

All sites must be evaluated using part 7044.1200. A site disqualified by part 7044.1200 is not eligible for placement on the ~~permanent list of priorities.~~ All eligible sites must be assigned to a response action class based on the criteria in part ~~7044.0300~~ 7044.0450. The site of the release or the threatened release must be added to the permanent list of priorities during the next annual update as specified in part 7044.0600.

~~7044.1000~~ **7044.0350 HRS SCORING SYSTEM ADOPTED BY REFERENCE.**

The Pollution Control Agency and the commissioner of agriculture shall rank score sites under part 7044.0250 utilizing the EPA's "Uncontrolled Hazardous Waste Ranking System" (commonly referred to as the HRS) published in the Federal Register, volume 47 pages 31219 to 31243 (July 16, 1982) with the following modifications: Hazard Ranking System (HRS) adopted by the United States Environmental Protection Agency, and published in the Federal Register, volume 55, pages 51583 to 51667 (December 14, 1990).

A. Substitute the words "ground water" for the word "aquifer" wherever the word "aquifer" appears in the Hazard Ranking System.

B. Substitute Figure 8-3 from the Minnesota Hydrologic Guide, United States Department of Agriculture, Soil Conservation Service, Saint Paul, Minnesota, circa 1976, for Figure 4 of the Hazard Ranking System.

C. Substitute Figure 1-1 from the Minnesota Hydrologic Guide for Figure 5 of the Hazard Ranking System.

D. Substitute Figure 1-2 from the Minnesota Hydrologic Guide for Figure 8 of the Hazard Ranking System.

~~7044.0300~~ **7044.0450 CLASSIFICATION AND RECLASSIFICATION OF SITES.**

The agency shall assign a site Subpart 1. Classifications. Sites with a release or a threatened release shall be assigned to the following response action classes:

[For text of items A to C, see M.R.]

D. remedial investigations and feasibility studies (RI/FS).

Subp. 2. Classification of site. A site with a release or a threatened release may be assigned to more than one response action class and may be assigned more than once within a response action class if conditions at the site of the release or the threatened release or the diversity of hazardous substances, pollutants, or contaminants require multiple response actions. Assignment of a site with a release or a threatened release to a response action class must be based on the response action necessary to abate the known or suspected dangers associated with hazardous substances, pollutants, or contaminants at the site of the release or the threatened release. ~~A site may be reclassified based on the findings and recommendations of a remedial investigation and feasibility study (RI/FS).~~

At the time of proposing to list a site on the permanent list of priorities, the Pollution Control Agency shall indicate the appropriate classifications a PCA site. The commissioner of agriculture shall indicate the appropriate classifications for an agricultural chemical site.

Subp. 3. Reclassification of site. ~~The commissioner of agriculture may reclassify a site or an operable unit of a site between updates in the permanent list of priorities based on completion of response actions for that class at the site or an operable unit of the site. A site may be reclassified based on the findings and recommendations of a remedial investigation and feasibility study.~~

7044.0600 ANNUAL UPDATE OF THE PERMANENT LIST OF PRIORITIES.

The Pollution Control Agency shall annually update the permanent list of priorities at least annually. In preparation for updating the permanent list of priorities, the commissioner of agriculture shall submit agricultural chemical sites to the commissioner of the Pollution Control Agency for proposed inclusion on, or deletion from, the permanent list of priorities. The commissioner of the Pollution Control Agency shall submit the sites proposed for addition or deletion by the commissioner of agriculture together with sites proposed for addition or deletion by the Pollution Control Agency to the Pollution Control Agency for inclusion in the proposed update of the permanent list of priorities to be published in the State Register.

Notice of the annual any update of the permanent list of priorities together with a proposed updated the list of sites proposed to be added to or deleted from the list must be published in the State Register to solicit public comments at least 30 days allow a 30-day public comment period prior to agency action by the Pollution Control Agency or by the commissioner of agriculture. The Pollution Control Agency shall review and respond to public comments regarding sites proposed for listing on, or deletion from, the permanent list of priorities by the Pollution Control Agency. The commissioner of agriculture shall review and respond to public comments regarding sites proposed for listing on, or deletion from, the permanent list of priorities by the commissioner of agriculture.

A site may be reclassified or rescored based on information obtained during the 30-day comment period or based on information from a completed RI/FS if the commissioner determines the that new or additional facts warrant a reclassification or rescoring. A site may not be reclassified or rescored based on prior remedial, removal, or response actions conducted following the commencement of site investigation and scoring activities by the Pollution Control Agency or the commissioner of agriculture.

Within 15 days after the comment period has closed, the commissioner of agriculture shall notify any person who has commented on an agricultural chemical site proposed to be added to, or deleted from, the permanent list of priorities that a public meeting will be held at the request of any person making a comment. After considering all comments, including those expressed at the public meeting, the commissioner of agriculture shall create a list of agricultural chemical sites for inclusion on, or deletion from, the permanent list of priorities. The commissioner shall forward this list of sites to the Pollution Control Agency for inclusion on, or deletion from, the permanent list of priorities.

7044.0900 7044.0650 ANNUAL PROJECT LIST LISTS.

The agency commissioner of the Pollution Control Agency and the commissioner of agriculture shall each establish a project list based on the amount of ERLA funds allocated by the respective agency for each class. The project list is a subset of the permanent list of priorities. The project list must contain the names of those projects sites to which ERLA funding will be allocated and for which the response action or RI/FS is scheduled to begin during the year. Sites on the permanent list of priorities may be added to the a project list and funded when the appropriate commissioner determines that excess ERLA funds allocated by the each respective agency are available as a result of, for example, a party assuming responsibility for work at a site or a cost saving in the response actions taken at a site. Class A sites not on the project list that develop or are brought to the attention of the commissioner must be funded with Class A contingency funds as directed in part 7044.0700 7044.0750, item A. Before taking any removal and remedial action for a release or a threatened release of a hazardous substance, pollutant, or contaminant, the agency shall follow the procedures specified in Minnesota Statutes, section 115B.17. The project list must be revised annually. The commissioners may amend their respective project lists between annual revisions. Funding for projects sites on the project list lists must remain in effect until the next project list is adopted established or amended or until the work for which the site was placed on the list is completed, whichever date is later.

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Proposed Rules

7044.0700 7044.0750 FUNDING PRIORITY OF CLASSES.

The agency shall allocate Environmental Response and Liability Act (ERLA) funds shall be allocated to classes in the following order:

A. All sites classified as part ~~7044.0300~~ 7044.0450, subpart 1, item A (Class A) receive first priority over all other classes for agency action. The agency shall also allocate ERLA funds to be held in reserve during the next year to fund emergencies that may be declared during the year. The amount of the contingency fund must be estimated based on the funds expended on declared emergencies in previous years. If the contingency fund is depleted before the end of the year, funds allocated for Class C or D projects that are not yet committed are available for response actions that must be taken in connection with a declared emergency.

B. After all Class A sites have ERLA funds allocated and a Class A contingency fund has been established, all sites classified as part ~~7044.0300~~ 7044.0450, subpart 1, item B (Class B) receive next priority for ERLA funding. ERLA funds may not be spent for the purpose of operation or maintenance of a community water supply system with the exception of start-up operational and maintenance expenditures deemed necessary by the agency during the first year the system is in operation.

C. After all Class A sites have ERLA funds allocated and a Class A contingency fund has been established, and all Class B sites have ERLA funds allocated, the agency shall allocate ERLA funds to part ~~7044.0300~~ 7044.0450, subpart 1, item C (Class C) and to part ~~7044.0300~~ 7044.0450, subpart 1, item D (Class D) sites.

D. The commissioner may reallocate excess ERLA funds from one class to another if the funding priorities in ~~parts 7044.0700 to 7044.0900~~ this part and part 7044.0850 are complied with, and the commissioner determines that a site on the permanent list of priorities is ready for the agency to proceed with a response action ~~or R/FS~~ prior to the next ~~annual~~ update.

E. Class A contingency funds may not be transferred to another class.

7044.0800 7044.0850 FUNDING PRIORITY WITHIN CLASSIFICATIONS C AND D.

Sites listed in classifications C and D must be ranked according to their HRS scores. The commissioner may allocate funds within each of the two classes to any site with a release or a threatened release that is within ten HRS points of the highest ~~rated~~ scored site within the class, based upon the cost of the necessary response actions; the effect of the release or the threatened release on public health, welfare, or the environment; and the administrative capabilities of the agency. If there are no other sites within ten HRS points of the highest scored site within the class, the commissioner may allocate funds to the next highest scoring site or sites.

7044.0500 7044.0950 DELETION OF SITES FROM THE PERMANENT LIST OF PRIORITIES.

Subpart 1. **Requirement.** The Pollution Control Agency shall delete a site from the permanent list of priorities at the next ~~annual~~ update following the completion of if:

A. all response actions, including operation and maintenance, required at the site, or if the agency have been completed;

B. the Pollution Control Agency determines that the a PCA site no longer poses a threat to public health or welfare or the environment from a release or a threatened release of a hazardous substance, or pollutant, or contaminant; or

C. the commissioner of agriculture determines that an agricultural chemical site no longer poses a threat to public health or welfare or the environment from a release or threatened release of an agricultural chemical.

Subp. 2. [See repealer.]

7044.1100 REIMBURSEMENT FOR PAST RESPONSE ACTIONS.

Reimbursement claims, by a private person for expenditures made before July 1, 1983, to provide alternative water supplies deemed necessary by the agency and the Department of Health to protect the public health from contamination resulting from the release of a hazardous substance, ~~must be have been~~ filed with the Pollution Control Agency within 12 months from the date ~~parts 7044.0100 to 7044.1200 become effective July 10, 1984.~~ A reimbursement claim filed after the 12-month deadline is invalid. The agency shall consider reimbursement of only the reasonable expenses for the types of costs which would have been incurred by the agency. The agency shall determine the amount of ERLA funds to be allocated to reimbursement claims during the annual update.

RENUMBERER. The part numbers in column A are renumbered as shown in column B and appropriate cross-reference changes shall be made in Minnesota Rules.

<u>COLUMN A</u>	<u>COLUMN B</u>
<u>7044.0300</u>	<u>7044.0450</u>
<u>7044.0400</u>	<u>7044.0250</u>
<u>7044.0500</u>	<u>7055.0950</u>
<u>7044.0700</u>	<u>7044.0750</u>
<u>7044.0800</u>	<u>7044.0850</u>
<u>7044.0900</u>	<u>7044.0650</u>
<u>7044.1000</u>	<u>7044.0350</u>

REPEALER. Minnesota Rules, parts 7044.0200, subparts 5, 6, and 8; 7044.0500, subpart 2; and 7044.1200, are repealed.

Department of Public Safety

Proposed Permanent Rules Relating to Claim Procedures; Payment Limits

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Crime Victims Reparations Board intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the proposed rules is *Minnesota Statutes*, section 611A.56, subdivision 1, paragraph (b).

All persons have 30 days, until 4:30 p.m., January 6, 1993, in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. Any requests or comments must be received by the Crime Victims Reparations Board no later than 4:30 p.m. on January 6, 1993. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing must include his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Marie Bibus, Minnesota Crime Victims Reparations Board, Griggs Midway Building, Room N465, 1821 University Avenue, St. Paul, MN 55104. Telephone (612) 649-5993.

The proposed rules may be modified if the modifications are supported by data and views submitted to the Board and do not result in a substantial change in the proposed rules as noticed.

A copy of the rules is published with this Notice in the December 7, 1992, *State Register*. A free copy of the rules is available upon request from Marie Bibus at the address and telephone number listed above.

The Board is amending its rules to control costs, prevent overcharging by providers, and allow the Board to stay within its budget. The rule amendments provide a number of ways of doing these things. The amendments limit payments to hospitals and physicians for medical services and require hospitals and physicians to accept the Board's partial payments as payment in full for medical services to a claimant. The amendments also limit the number of counseling sessions and the amount of payments in certain situations. Further, the amendments require the Board to review claims for loss of support every three years to determine if a claimant is still eligible.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request from Marie Bibus at the address and telephone number listed above.

In preparing these rules, the Board has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rules on small businesses. The proposed amendments, which include rate limits, will have a slight impact on small businesses that provide services to victims. However, if the Board's rate of compensation is not adequate, medical and mental health providers can choose not to provide services to claimants using only Board funding. The Board considered the impact of the amendments on small providers and determined that no feasible alternative to the rules exists.

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules.

Minnesota Statutes, section 14.11, subdivision 2, does not apply because adoption of these rules will not have an impact on agricultural land.

Minnesota Statutes, section 16A.128, subdivisions 1a and 2a, do not apply because the rules do not fix fees.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney

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Proposed Rules

General, or who wish to receive a copy of the adopted rules, must submit the written request to Marie Bibus at the address and telephone number listed above.

Dated: 17 November 1992

Mary Ellison, Executive Director
Crime Victims Reparations Board

Rules as Proposed

7505.3100 LOSS OF SUPPORT.

[For text of subs 1 to 3, see M.R.]

Subp. 4. Three-year review. The board shall review a claim for loss of support every three years to determine whether the claimant is still eligible for benefits. The board shall evaluate the claim giving consideration to the claimant's financial need and to the availability of funds to the board. If the claimant's gross annual income is more than 185 percent of the federal poverty level, the claimant is not considered to have a continuing financial need.

7505.3200 LOSS OF INCOME.

[For text of subs 1 and 2, see M.R.]

Subp. 2a. Estimated tax. If the tax rate cannot be determined from the information received by the board under subpart 1 or 2, the board shall estimate the tax at a rate of 15 percent for victims with a gross annual income less than \$20,000 and 25 percent for victims with a gross annual income greater than \$20,000.

[For text of subp 3, see M.R.]

Subp. 4. Paid leave. The board must not pay for lost wages covered by a claimant's accumulated sick leave, vacation leave, compensatory time, or holiday pay.

7505.3400 SECONDARY VICTIMS.

For the purposes of this chapter, the term "victim" includes, in addition to those meanings specifically provided in *Minnesota Statutes*, section 611A.52, the following:

[For text of item A, see M.R.]

B. a witness to a violent crime who suffered physical or emotional injury. Payment for a witness is limited to ten counseling sessions;

[For text of items C and D, see M.R.]

7505.3500 PARENTS OF CHILD VICTIMS; ~~DOMESTIC CHILD ABUSE OR CHILD SEXUAL ASSAULT.~~

The board shall authorize payment for up to five counseling sessions for a parent who is a primary caretaker of a victim of domestic child abuse or child sexual assault, if the treatment plan filed under and complying with part 7505.2700 indicates that the sessions directly benefit the victim.

The board shall authorize payment to one parent of a child victim for up to two weeks of lost income incurred as a result of obtaining care for the victim. The victim must be less than 21 years old. Only the parent who is the primary caretaker may receive payment for lost income. Payment to a parent for lost income must not exceed \$2,000.

7505.3700 COST CEILING ON HOSPITAL AND PHYSICIAN EXPENSES.

Within 30 days of the beginning of each fiscal year, the board shall determine the percentage of hospital and physician expenses to be paid on all claims submitted for crimes occurring during that fiscal year. The board shall consider the availability of funds to the board when setting the percentage it will pay. The board must not pay more than this percentage of a victim's total hospital and physician expenses after payment by collateral sources. Acceptance of payment for medical services from the Minnesota Crime Victims Reparations Board shall be considered acceptance of payment in full and bars any legal action against the victim for collection.

7505.3800 MENTAL HEALTH TREATMENT RATE LIMITS.

The board must not pay more than \$75 an hour for individual mental health therapy nor more than \$40 an hour for group mental health therapy.

7505.3900 MAXIMUM PAYMENT FOR SEXUAL ASSAULT EVIDENTIARY EXAMINATION.

The board must not pay more than \$500 for a sexual assault evidentiary examination. Any payment by the county for the examination shall be deducted from that \$500 and the board must not pay more than the remaining amount.

7505.4000 MAXIMUM PAYMENT FOR CHILD CARE.

When a claim for substitute child care is submitted, the board must not pay more than \$250 per week for substitute child care for one child nor more than \$350 per week for two or more children.

REPEALER. Minnesota Rules, part 7505.3000, is repealed.

Department of Revenue

Proposed Permanent Rules Relating to Sales and Use Tax for Advertising

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue intends to adopt the above entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 270.06. *Minnesota Rules*, part 8130.9200, is repealed.

All persons have until 4:30 p.m. on January 6, 1993 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule until 4:30 p.m. on January 6, 1993. Any requests or comments must be received by the Department of Revenue no later than 4:30 p.m. on January 6, 1993. If 25 or more persons submit a written request for a public hearing by 4:30 p.m. on January 6, 1993, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Susan Fremouw, Attorney
Appeals, Legal Services and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220
(612) 296-1902 Extension 128

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Susan Fremouw upon request.

The proposed rule will not result in the expenditure of public money by local public bodies or have a direct and substantial adverse impact on agricultural land or small businesses.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Susan Fremouw at the address listed above.

Dated: 19 November 1992

Dorothy A. McClung
Commissioner of Revenue
State of Minnesota

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Proposed Rules

Rules as Proposed

8130.9250 ADVERTISING.

Subpart 1. Definitions.

A. "Advertising" is the expression of an idea created and produced for reproduction and distribution through means such as television, radio, newspapers, newsletters, periodicals, trade journals, publications, books, magazines, standardized outdoor billboards, direct mail, point-of-sale displays, leaflets, brochures, fliers, and package design, and which is designed to promote sales of a particular product or service or to enhance the general image of the advertiser. Advertising includes public service messages that are designed to affect the behavior of the public, and messages that are political in nature.

B. "Advertising agency" is any person that is directly responsible to an advertiser for, and whose functions as a business include the creation of advertising. Creation of advertising means developing concepts or ideas to express the advertising message.

C. "Advertiser" is a person who contracts to purchase, or have delivered to a third party on its behalf, advertising.

Subp. 2. **In general.** The sale, use, or other consumption (hereinafter referred to as a sale) of advertising ordinarily constitutes a sale of a nontaxable service, and hence is not subject to Minnesota sales or use tax. However, if the means of expressing the advertising is through tangible personal property that has a primary functional use independent of its advertising message, the sale of the advertising will be treated as a taxable sale of tangible personal property. It shall be presumed that the advertising has a primary functional use independent of its advertising message, and the burden is on the taxpayer to prove that the advertising does not have a primary functional use independent of its advertising message.

If a person creates advertising for its own use, all of its purchases of tangible personal property are subject to sales tax. This part, with the exception of subparts 11 and 13, does not apply to such a person. For purposes of subparts 11 and 13, such person shall be treated as an advertiser.

Subp. 3. **Nontaxable items.** The following are examples of items the sale of which are usually considered to be nontaxable within the meaning of this part because: (1) the items meet the definition of advertising, and (2) the means of expressing the advertising message is not through tangible personal property that has a primary functional use independent of its advertising message:

A. certain printed materials including:

- (1) fliers, handouts, brochures, and sales promotion materials;
- (2) direct mail materials; and
- (3) displays, banners, posters, and table tents, including point-of-sale materials;

B. radio commercials including cassettes and tapes of them;

C. television commercials including cassettes, tapes, films, and slides of them;

D. other audio or visual commercials including cassettes, tapes, films, and slides of them;

E. print media advertising, including:

- (1) magazine ads;
- (2) newspaper ads;
- (3) periodical ads;
- (4) trade journal ads;
- (5) book ads;
- (6) other printed materials ads;
- (7) newspaper inserts; and
- (8) yellow pages ads;

F. billboard ads, transit advertising (bus, rail, taxi, airport), and shopping mall and sports arena advertising and displays; and

G. direct marketing materials not distributed by mail.

Subp. 4. **Taxable items.** The following are examples of items the sale of which is usually considered to be taxable within the meaning of this part because either: (1) the items fail to meet the definition of advertising, or (2) the means of expressing the advertising message is through tangible personal property that has a primary functional use independent of its advertising message:

A. specialty advertising, examples of which include key chains, glassware, frisbees, rulers, pens, calendars, buttons, match-books, paper napkins, clocks, and notebooks;

B. business cards and stationery;

C. books;

D. annual reports, except as provided in Minnesota Statutes, section 297A.25, subdivision 10;

E. training and educational materials;

F. business identification signs;

G. employee benefit materials and plan descriptions;

H. business directories, including yellow pages;

I. warranty books and product instructions; and

J. advertising, including items described in subpart 3, if mass produced or reproduced in quantities in excess of that reasonably anticipated to be necessary for an advertising campaign, but only to the extent of such excess.

Subp. 5. Charges by an advertising agency to an advertiser for services related to the creation and production of taxable and nontaxable advertising. In the case of nontaxable advertising no portion of the gross receipts allocable to services related to the creation or the production of the advertising is taxable, since the item constitutes exempt advertising services.

In the case of taxable advertising, all of the gross receipts allocable to all services related to the creation or production of the taxable advertising are taxable. Gross receipts allocable to the creation or production of advertising include all costs incurred in the conception, creation, developing, planning, and design of the advertising, as well as the placing of the advertising.

Subp. 6. Preliminary art. The Minnesota sales or use tax does not apply to gross receipts allocable to services which relate to preliminary art, film, or tape. Preliminary art, film, or tape, means art, film, or tape prepared for the purpose of conveying or demonstrating an idea or concept for acceptance by a buyer before the final approval is given by a buyer for finished art or finished film or tape. Examples of preliminary art, film, or tape include roughs, visualizations, comprehensives, layouts, sketches, drawings, paintings, designs, story boards, rough cuts of film and tape, initial audio and visual tracks, and work prints. In the case of print advertising, finished art is the final art used for actual reproduction by photochemical or other process. In the case of broadcast advertising, finished film and tape means the master tape or film and duplicate prints. Gross receipts are treated as allocable to preliminary art only to the extent that they are separately billed or stated.

Subp. 7. Nonapportioned contracts. Where a contract or commission or fee agreement or other agreement requires both the creation of nontaxable advertising and taxable advertising by an advertising agency, and when no separate cost is attributed to the taxable advertising, sales tax on the fair market value of the taxable advertising must be collected and remitted to the commissioner at the time of transfer of title or possession of the taxable advertising to the advertiser or its designee. Fair market value of the taxable advertising will include a fair and appropriate allocation of the agency's fee or commission.

Subp. 8. Purchases for use in producing both nontaxable advertising and taxable advertising. This subpart applies to purchases by an advertising agency of tangible personal property which may be used repeatedly, and to tangible personal property which is consumed in part for producing nontaxable advertising and in part for producing taxable advertising.

A. If an advertising agency purchases tangible personal property which is used, but not consumed, with respect to both nontaxable advertising and taxable advertising, the determination of whether the purchase is exempt from sales or use tax is based on the initial contract for which the property is purchased. An example of such tangible personal property is a photograph that may be used in connection with both nontaxable advertising services such as a newspaper ad, and taxable advertising such as a mug.

If the initial contract with the advertiser is for nontaxable advertising, the purchase by the advertising agency is subject to sales or use tax, notwithstanding that the purchased property may later be used with respect to taxable advertising. The subsequent sale of taxable advertising using such tangible personal property is not exempt from sales and use tax because of the previous tax payment.

If the initial contract with the advertiser is for taxable advertising, the item purchased by the advertising agency may be purchased exempt for resale, notwithstanding that the purchased tangible personal property may later be used with respect to nontaxable advertising.

If a contract (or contemporaneously negotiated contracts) with an advertiser is for both taxable advertising and nontaxable advertising, the burden is on the advertising agency to demonstrate the portion of the use that is attributable to each of such categories. If this burden is not met, the contract with the advertiser is deemed to be for nontaxable advertising. An example of this rule may be artwork purchased and used initially in making both a magazine ad and in making a calendar. Where the burden of proof is not met

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Proposed Rules

by the advertising agency, the purchase is taxable and the subsequent sale of taxable advertising is not exempt because of the previous tax payment.

B. If an advertising agency expects to consume materials in producing both nontaxable advertising and taxable advertising, all such materials can be purchased exempt for resale. An example of such material is a ream of paper that may be used in connection with the production of nontaxable advertising such as a brochure, and taxable advertising such as a calendar. To the extent that the materials are subsequently consumed in producing nontaxable advertising, the materials are taxable and must be reported as purchases subject to use tax on the agency's sales and use tax return. The percentage of materials consumed in producing nontaxable advertising is multiplied by the total purchase price of the materials to determine the amount of materials subject to tax. The burden is on the taxpayer to demonstrate the portion of usage that is attributable to taxable advertising. If the burden is not met, all the materials consumed are deemed to be for nontaxable advertising.

Subp. 9. Purchases for agency use. Office supplies, capital equipment, and other materials including those used to prepare preliminary art, which are consumed or used by an advertising agency and do not become an ingredient or component part of taxable advertising to be sold at retail, constitute a retail sale from the vendor to the advertising agency. An advertising agency is the consumer of such tangible personal property. Either the vendor must collect sales tax or the advertising agency must remit use tax on those purchases.

Tangible personal property that becomes an ingredient or component part of taxable advertising to be sold at retail may be purchased exempt for resale.

Subp. 10. Advertisers that are tax-exempt entities. Advertisers that are tax-exempt entities may appoint advertising agencies as purchasing agents. If a valid purchasing agency appointment is made, the advertiser shall pay no sales or use tax other than what it would have paid had it made the purchase directly. To make a valid appointment of an advertising agency as a purchasing agent, an advertiser must:

A. grant to the agent the ability to bind the principal to pay for purchases made by the agent;

B. require that the agent not purchase materials in its own name;

C. require that all contracts, purchase orders, and other similar writings of the agent shall specifically state that the principal is obligated to pay for materials purchased and that a clear disclosure of the agency relationship is made to the vendor of the materials; and

D. require that the advertising agency make no use of the property for itself or for any client other than the principal.

When dealing with advertising agencies acting as purchasing agents for tax-exempt entities, vendors must presume that the agency is the purchaser in the absence of an express statement on a purchase order from an advertising agency that the advertising agency is acting as an agent and that the purchase is within the scope of authority expressed in the agreement. The agency may issue exemption certificates as authorized in part 8130.3000 in the name of the principal and signed by the advertising agency as purchasing agent.

Subp. 11. Advertising materials shipped out of state. There is an exemption in *Minnesota Statutes*, section 297A.25, subdivision 22, for materials designed to advertise and promote the sale of merchandise or services, which material is shipped out of Minnesota for use solely outside the state. This exemption may apply to the purchase of items in final form or to the purchase of an item that is incorporated into a product that ultimately leaves the state. Similarly, the exemption may apply to the purchase of taxable advertising or to the purchase of tangible personal property that is used in creating or producing nontaxable advertising.

This exemption is limited to materials used to advertise and promote the sale of merchandise or services. This exemption does not include any advertising which is done for other purposes such as public service messages not related to advertising or promoting sales of merchandise or services.

When an advertising agency or an advertiser purchases taxable advertising and the advertising agency, the vendor, or the advertiser ships the taxable advertising out of state for use solely outside the state, the advertising agency or advertiser is not subject to sales or use tax with respect to such purchases because it is the purchaser of materials that are designed to advertise and promote the sale of merchandise or services, and the materials are being shipped outside the state for use solely out of state.

When an advertising agency or an advertiser purchases tangible personal property that is used in creating or producing nontaxable advertising, and the advertising agency, the vendor, or the advertiser ships the advertising out of state for use solely outside the state, the advertising agency or advertiser is not subject to sales or use tax with respect to such purchases because it is the purchaser of materials that are designed to advertise and promote the sale of merchandise or services, and the materials are being shipped outside the state for use solely outside the state. An example of this is when an advertising agency or advertiser purchases advertising brochures that will be shipped out of state. The agency or advertiser can purchase the brochures from the printer exempt from tax. The printer can purchase the paper and ink used to print the brochures exempt because they are being purchased for resale, whether or not the advertising agency or advertiser has an exemption for shipments out of state. The advertising agency or the advertiser is eligible for the exemption described in this subpart whether the item it purchases is in final form, such as a finished brochure or whether the item is incorporated into the product that ultimately leaves the state, such as cardboard that is purchased and becomes part of an advertising

sign that is shipped out of state.

The rules described in this subpart also apply with respect to an advertising agency if the advertising agency, instead of itself shipping the advertising directly out of state, delivers the advertising to an advertiser within Minnesota for the purpose of subsequently shipping the materials out of state for use solely outside the state. Similarly, the purchase by the advertiser is not subject to sales or use tax with respect to its purchase of the advertising.

This exemption does not apply to purchases that are used to create or produce nontaxable advertising to the extent that these purchases do not get sent outside the state. An example of this is when an advertising agency purchases a photograph that it uses in preparing advertising brochures. The sale of the photograph to the advertising agency is taxable. The sale of the brochures to the advertising agency is exempt to the extent that those brochures will be sent out of state as described in this subpart. Another example is when an advertising agency purchases a master tape that it uses to make copies that will be shipped out of state. The copies or the materials used to make them may be purchased exempt but the purchase price of the master tape is taxable unless that tape is also shipped out of state as described in this subpart.

Subp. 12. Miscellaneous provisions. When an advertising agency contracts with a recording studio to produce a tape to be used for nontaxable advertising, the recording studio must charge sales tax on all charges to the agency. If the agency hires actors, or directly purchases other exempt services to be used in making the tape, the agency does not pay tax on those purchases. The recording studio only collects tax on the charges it makes to the agency.

If a recording studio or printer has contracted directly with the advertiser to produce a tape or printed material, the studio or printer must charge tax on the amount charged to the advertiser, unless the studio or printer is also doing creative work and is acting as an advertising agency. If the studio or printer is acting as an advertising agency, it must pay tax on all its inputs for nontaxable advertising, and does not collect tax on its charges to the advertiser.

Subp. 13. Effective date. To the extent that this part is different from previous department applications of the sales and use tax as it applies to the advertising industry, this part is prospective only and is effective five working days after notice of adoption is published in the State Register.

REPEALER. Minnesota Rules, part 8130.9200, is repealed.

Board of Teaching

Proposed Permanent Rules Relating to Education; Teacher Licensure Examinations

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Board of Teaching intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, section 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 125.05, subd. 1.a. and 125.185, subd. 4.(b).

All persons have 30 days, until 4:30 p.m., January 6, 1993, to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rule. Each comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Judith A. Wain, Acting Executive Secretary
Minnesota Board of Teaching
608 Capitol Square Building

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Proposed Rules

550 Cedar Street
St. Paul, MN 55101
612/296-2415

The proposed rules may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rules as noticed.

The rules proposed for adoption relate to amendments to existing nonvocational and secondary vocational teacher licensure rules governing examinations for teacher licensure. The proposed amendments implement a statutory requirement that candidates for licensure successfully complete the examinations before being admitted to postsecondary teacher preparation programs. The amendments propose July 1, 1994, as an effective date to implement this requirement. A free copy of the proposed rules is available upon request from Judith Wain at the address given above.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request by contacting Judith Wain at the address given above.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit a written request to Judith Wain at the address given above.

Dated: 20 November 1992

Judith A. Wain, Acting Executive Secretary
Minnesota Board of Teaching

Rules as Proposed

8700.0210 EXAMINATIONS FOR TEACHER LICENSES.

Subpart 1. **Examination requirement.** An applicant described in *Minnesota Statutes*, section ~~125.03~~ 125.05, subdivision 5 1a, paragraph (b), for an initial license, shall provide official evidence of having successfully completed examinations of skills in reading, writing, and mathematics before being issued an initial Minnesota teaching license. The examinations must have been adopted by the Board of Teaching. An applicant who is deaf must fulfill the mathematics requirement of this part by successfully completing the mathematics examination, and must fulfill the reading and writing requirements of this part either by successfully completing the reading and writing examinations or by evaluation by board approved colleges and universities of demonstrated proficiency (Intermediate Plus) in the expressive and receptive use of alternative communication systems including sign language and finger spelling as measured by the Sign Communication Proficiency Inventory (SCPI). This inventory is published by the National Technical Institute for the Deaf in Rochester, New York, and is administered through the College of Education at the University of Minnesota on at least an annual basis. A description of this inventory is available through the Minitex interlibrary loan system in the *Journal of Sign Language Studies* and *American Annals for the Deaf*. The inventory is incorporated by reference. Before the 1991 amendment to this part was adopted, the inventory was last published in 1989. It may be periodically changed. An applicant who is blind shall be required to fulfill requirements of this part by successfully completing the examinations with an opportunity to select a reader, to use adaptive visual aids or technology aids, and to complete the testing under adaptive conditions.

[For text of subps 2 to 7, see M.R.]

Subp. 8. **Admission to upper division or graduate coursework.** Candidates for an initial license shall provide official evidence to the institutions they attend of having taken the examinations adopted in subpart 2 before enrolling in upper division coursework in the professional education sequence. Candidates for an initial license who have a baccalaureate degree shall provide official evidence to the institutions they attend of having taken the examinations adopted in subpart 2 before enrolling in coursework in the professional education sequence. Candidates who fail to achieve the minimum passing score on one or more of the examinations may enroll in upper division or graduate coursework in the professional education sequence; however, candidates must achieve the passing scores established in subpart 3 before recommendation for an initial teaching license. Colleges and universities must provide candidates who fail the examinations access to opportunities to enhance their skills. This subpart is repealed July 1, 1994, without further action by the Board of Teaching.

Subp. 8a. Admission to Minnesota postsecondary teacher preparation program. Beginning July 1, 1994, any candidate for an initial license, before being admitted to an institution's postsecondary teacher preparation program, shall provide official evidence to the institution that the candidate has successfully completed the examinations adopted under subpart 2. Colleges and universities must provide candidates who fail the examinations access to opportunities to enhance their skills.

[For text of subps 9 to 12, see M.R.]

8750.3010 EXAMINATIONS FOR SECONDARY VOCATIONAL TEACHER LICENSES.

Subpart 1. **Examination requirement.** An applicant for an initial secondary vocational teaching license, except a secondary vocational part-time resource specialist license issued according to part 8750.6000, a secondary short-call substitute license issued according to part 8750.6100, or a secondary vocational limited license issued according to part 8750.6200, shall provide evidence of having successfully completed examinations of skills in reading, writing, and mathematics, as required by *Minnesota Statutes*, section 125.05, subdivision 1 la, paragraph (b). Provisions of part 8700.0210, subparts 1 to 7, 10, and 12, apply. This subpart does not apply to applicants who hold or previously held an entrance, continuing, or life nonvocational license granted by the Board of Teaching.

Subp. 2. **Admission to secondary vocational teacher education core.** Candidates may enroll in the secondary vocational teacher education core courses before successful completion of the skills area examinations; however, candidates must achieve the passing scores established in part 8700.0210, subpart 3, before an entrance vocational teaching license may be granted. Colleges and universities must provide candidates who fail the examinations access to opportunities to enhance their skills. This subpart is repealed July 1, 1994, without further action by the Board of Teaching.

Subp. 2a. Admission to Minnesota postsecondary teacher preparation program. Beginning July 1, 1994, any candidate for an entrance vocational teaching license, before being admitted to an institution's postsecondary teacher preparation program leading to a baccalaureate or higher degree, shall provide official evidence to the institution that the candidate has successfully completed the examinations adopted under part 8700.0210, subpart 2. Colleges and universities must provide candidates who fail the examinations access to opportunities to enhance their skills.

[For text of subs 3 and 4, see M.R.]

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Office of Waste Management

Adopted Permanent Rules Relating to Solid Waste Planning and Certificate of Need Issuance

The rules proposed and published at *State Register*, Volume 17, Number 6, pages 271-285, August 10, 1992 (17 SR 271), are adopted with the following modifications:

Rules as Adopted

9215.0510 DEFINITIONS.

Subp. 24. **Yard waste.** "Yard waste" means the garden wastes, leaves, lawn cuttings, weeds, tree and shrub waste, and prunings generated at residential, commercial, industrial, or institutional properties.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Commissioners' Orders

Department of Transportation

Commissioner of Transportation

Amended Uniform Traffic Control Device Manual Order No. 78924

WHEREAS, the Commissioner of Transportation has adopted the Minnesota Manual on Uniform Traffic Control Devices for Streets and Highways, 1991 edition, (herein referred to as the "manual"), establishing a uniform system of traffic control devices for streets and highways of the State of Minnesota as required by *Minnesota Statutes*, Section 169.06, Subdivision 1; and

WHEREAS, said manual is being revised, to be adopted and distributed during calendar year 1993; and

WHEREAS, said manual includes Appendix B, "Traffic Controls for Short Term Street or Highway Work Zones," dated March 1990, hereinafter referenced as Appendix B dated March 1990; and

WHEREAS, a new and revised Appendix B, "Traffic Controls for Short Term Street or Highway Work Zones," dated November 1992, hereinafter referenced as Appendix B dated November 1992; has been prepared for inclusion in the 1991 manual; and

WHEREAS, Appendix B dated November 1992 is designed to improve traffic control plans and enhance traffic safety in short-term work zones on Minnesota streets and highways; and

WHEREAS, the Commissioner may authorize and adopt amendments and addenda to the Minnesota Manual on Uniform Traffic Control Devices.

NOW, THEREFORE, pursuant to authority vested in my office and as provided in *Minnesota Statutes*, Section 169.06, Subdivision 1, I do hereby adopt and prescribe Appendix B dated November 1992 as an amendment to the Minnesota Manual on Uniform Traffic Control Devices for Streets and Highways, 1991 edition. All governing road authorities in implementing the provisions of the new Appendix B dated November 1992 shall do so by developing a plan of implementation and executing said plan by January 1, 1993. Until the time that the provisions contained in the Appendix B dated November 1992 can be adhered to by a governing road authority, or January 1, 1993, whichever date occurs first, the provisions of Appendix B dated March 1990 shall remain in effect.

This Order supplements Commissioner's Order No. 75949, dated May 3, 1990, and will remain in effect until the 1991 Minnesota Manual on Uniform Traffic Control Devices for Streets and Highways, which will include Appendix B dated November 1992, is amended by subsequent Commissioner's Order.

Dated at St. Paul, Minnesota, this 24th day of November, 1992.

James N. Denn
Commissioner of Transportation

Department of Commerce Regulated Profession Publications

Banking Laws 1991. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76. \$34.95

Business and Nonprofit Corporation Act of 1990. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 302A, 308A, 317A. Code #2-87 \$19.95

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$4.95

Insurance Laws 1990. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1. \$22.95

Insurance Rules 1991. Essential licensing information for businesses and agents. Includes standards on policies, practices, marketing and continuing education. Code #3-1. \$18.95

Banking Rules 1991. Regulating loans, financial statements, lease financing, bonds, overdrafts, records, and more. MN Rules 2675. Includes amendments adopted on March 11, 1991. Stock #3-81, \$6.95

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

Notary Public Laws 1989. Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of the office and procedures for removal from office. Code #2-13 \$5.00

Real Estate Laws 1990. Complete and up-to-date extract from the 1986 Minnesota Statutes. Code #2-92 \$8.00

Real Estate Rules 1991. Contains all education and licensing requirements for agents. Chapters 2800, 2805, and 2810. Code #3-99 \$6.00

Securities Laws 1991. Governs the activities of broker/dealers, agents or investment advisors. Chapter 80A. Code #2-12 \$7.00

Securities Rules 1991. Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$14.00

Mailing Lists. All kinds available. Call to receive a copy of mailing list service packet. (612) 296-0930

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Agriculture

Adopted Emergency Rules Relating to Class I Milk

The rules proposed and published at *State Register*, Volume 17, Number 8, pages 401-408, August 24, 1992 (17 SR 401), are adopted with the following modifications:

Rules as Adopted

1535.4000 [Emergency] DEFINITIONS.

Subp. 7. **Cooperative association.** "Cooperative association" means an organization recognized as a cooperative association by the United States Department of Agriculture that causes milk belonging to its members to be utilized by the cooperative association directly or delivered to other handlers and collects payment on behalf of its members.

Subp. 21. **Program.** "Program" means the Minnesota producer premium program under parts 1535.4000 to ~~1535.4540~~ 1535.4560 [Emergency] and *Minnesota Statutes*, section 32A.071.

1535.4020 [Emergency] REPORTS OF RECEIPTS AND UTILIZATION; POOL DISTRIBUTING AND POOL UNREGULATED PLANTS THAT PROCESS CLASS I MILK.

Subpart 1. **Monthly reports.** On or before the 15th day of any month, each handler that operates a pool distributing plant or a pool unregulated plant in Minnesota during the preceding month shall report the following information for that month to the commissioner in the detail and on forms prescribed by the commissioner:

E. total receipts of milk from Minnesota eligible producers for which the handler made payment to the producers or the member cooperative association;

G. receipts from other sources or handlers, listed by plant.

Handlers regulated under the federal milk marketing order may satisfy part or all of this reporting requirement by submitting to the commissioner a complete copy of the report ~~entitled "Report of receipts and utilization."~~ The handler shall submit the copy that has been accepted and verified for accuracy by the market administrator of the federal milk marketing order.

Subp. 2. **Handler report of eligible receipts.** The total receipts under subpart 1, item E, must include receipts from member cooperative associations on whose behalf the handler markets milk and issues ~~payment~~ payments. ~~These~~ Receipts must be listed by member cooperative ~~association~~ associations.

1535.4030 [Emergency] REPORT OF RECEIPTS OF MINNESOTA ELIGIBLE MILK.

Subp. 2. **Handler Report of eligible receipts.** The total receipts of milk in subpart 1, item B, must include receipts from member cooperative associations on whose behalf the handler markets milk and issues payments. Receipts must be listed by member cooperative associations.

Emergency Rules

1535.4230 [Emergency] CALCULATING MINNESOTA PRODUCER PREMIUM PAYMENT RATE.

The commissioner shall calculate the Minnesota producer premium payment rate each month according to items A to E.

D. Subtract not less than ~~one-half~~ 1/100 of a cent nor more than ~~1-1/2~~ 99/100 of a cent.

1535.4240 [Emergency] ANNOUNCEMENT OF MINNESOTA PRODUCER PREMIUM PAYMENT RATE.

The commissioner shall publicly announce the Minnesota producer premium payment rate on or before the ~~16th~~ 18th day after the end of each month to which the Minnesota producer premium payment rate applies, and notify affected handlers by telephone, facsimile, or first class mail.

1535.4270 [Emergency] CARRYOVER OF MINNESOTA PRODUCER PREMIUM PAYMENT RATE.

The commissioner shall direct the fiscal agent to withhold payments from the equalization fund if the Minnesota producer premium payment rate is less than ~~five cents~~ one cent per hundredweight. The commissioner shall direct the fiscal agent to hold the money in the equalization fund until the sum of the Minnesota producer premium payment rate from two or more months equals or exceeds ~~five cents~~ one cent per hundredweight. If the sum of two or more months of the Minnesota producer premium payment rate equals or exceeds ~~five cents~~ one cent per hundredweight, the commissioner shall direct the fiscal agent to pay out the total. The commissioner shall direct the fiscal agent to pay out the Minnesota producer premium payment rate for the month of June of each fiscal year and any accumulated money from previous months even if the accumulated Minnesota producer premium payment rate is less than ~~five cents~~ one cent per hundredweight.

1535.4300 [Emergency] NET POOL OBLIGATION OF HANDLER THAT OPERATES POOL DISTRIBUTING PLANT OR POOL UNREGULATED PLANT.

The net pool obligation of a handler that operates a pool distributing plant or pool unregulated plant having applicable Class I pounds in the preceding month, must be computed according to items A to F.

A. Multiply the total hundredweights of applicable Class I milk by processed by the handler times the Class I Minnesota premium established for the month by the commissioner.

1535.4310 [Emergency] PAYMENTS TO EQUALIZATION FUND.

A handler with an obligation to the equalization fund as calculated in part 1535.4300 [Emergency] shall, on or before the ~~17th~~ 20th day of each month, pay to the fiscal agent for payment to the equalization fund the amount of its net pool obligation for the preceding month.

1535.4330 [Emergency] PAYMENTS OUT OF EQUALIZATION FUND.

On or before the ~~18th~~ 25th day of each month, the commissioner shall direct the fiscal agent to make payment out of the equalization fund to each handler who has purchased milk from eligible producers. If the 25th falls on a weekend or holiday, the commissioner shall direct this payment be made on the following regular workday.

Prior to directing the issuance of payments from the equalization fund, the commissioner shall determine the total payments due under items A and B. If the balance in the equalization fund is insufficient to make the payments, the commissioner shall uniformly reduce the payments and direct the completion of the payments as soon as the necessary funds are available. Payments from the equalization fund must be directed by the commissioner according to items A and B.

1535.4340 [Emergency] PAYMENTS TO ELIGIBLE PRODUCERS AND MEMBER COOPERATIVE ASSOCIATIONS BY HANDLERS AND COOPERATIVE ASSOCIATIONS.

A handler or cooperative association shall make payment to each eligible producer or member cooperative association on or before the ~~20th~~ 4th day of each month following the month in which the commissioner has announced the producer premium payment rate for the preceding month at not less than the applicable Minnesota producer premium payment rate established under part 1535.4240 [Emergency]. Payments to an eligible producer or member cooperative association must be accompanied by a document specifying the Minnesota producer premium payment rate, the total hundredweights of milk to which the Minnesota producer premium payment rate applies, the dates of delivery to which the payments pertain, and the amount paid to each eligible producer calculated by multiplying the Minnesota producer premium payment rate by the total hundredweights of milk delivered by the eligible producer.

1535.4350 [Emergency] PAYMENTS TO ELIGIBLE PRODUCERS BY MEMBER COOPERATIVE ASSOCIATIONS.

A member cooperative association that receives payment of the Minnesota producer premium from a handler shall distribute the payment to eligible producers on or before the ~~22nd~~ 5th day of each month following the month in which the commissioner has announced the producer premium payment rate for the preceding month at not less than the applicable Minnesota producer premium payment rate established under part 1535.4240 [Emergency]. Payments to an eligible producer must be accompanied by a document specifying the Minnesota producer premium payment rate, the total hundredweights of milk to which the Minnesota producer premium payment rate applies, the dates of delivery to which the payments pertain, and the amount paid to each eligible producer calculated by multiplying the Minnesota producer premium payment rate by the total hundredweights of milk delivered by the eligible producer.

Department of Natural Resources

Adopted Emergency Game and Fish Rules; Deer Season in Zones 3 and 4

Notice of Adoption of Emergency Rules

NOTICE IS HEREBY GIVEN that the above entitled proposed rules have been adopted through the process prescribed by *Minnesota Statutes*, section 14.29, subd. 4(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, section 97B.311. The form, content, and adoption procedure for these rules have been approved by the Office of the Revisor of Statutes and the Minnesota Attorney General's Office.

Dated: 30 November 1992

Rodney W. Sando, Commissioner
Department of Natural Resources

ADOPTED EMERGENCY AMENDMENTS TO COMMISSIONER'S ORDERS

6232.1300 SEASONS FOR TAKING DEER BY FIREARMS.

[For text of subps 1 and 2, see 16 SR 2812]

Subp. 3. **Zone 3.** This subpart applies to season dates in Zone 3.

[For text of items A and B, see 16 SR 2812]

C. Legal bucks and antlerless deer may be taken in the special extended season in Zone 3 from December 12 through 15, 1992, only in the following antlerless permit areas: 337, 338, 339, 341, 343, 344, 345, 346, 347, 348, and 349. Any hunter licensed to hunt in Zone 3A or 3B, including regular firearms, multizone buck, and muzzleloader licensees, may hunt during this extended season, but all other regular season rules apply. Antlerless and Deer Management Permits are valid only within the area specified on the permit. Hunters licensed for the muzzleloader season may hunt anywhere in the open area during the extended season. All big game hunters, small game hunters, and trappers must meet the red or blaze orange requirement specified in *Minnesota Statutes*, section 97B.071, in the open area during the extended season. All deer taken in this season must be registered within the extended season area within 24 hours after the close of the season.

Subp. 4. **Zone 4.** This subpart applies to season dates in Zone 4.

[For text of items A and B, see 16 SR 2812]

C. Legal bucks and antlerless deer may be taken in the special extended season in Zone 4 from December 12 through 15, 1992, only in the following area: That portion of Zone 4 south and east of, and including, permit areas 416, 417, 418, 419, 424, and 431. Any hunter licensed to hunt in Zone 4A or 4B, including regular firearms, multizone buck, muzzleloader, and archery licensees, may hunt during this extended season, but all other regular season rules apply. Archers are restricted to bucks only, except for those with unused management permits. Hunters licensed for the muzzleloader season may hunt anywhere in the open area during the extended season. All big game hunters, small game hunters, and trappers must meet the red or blaze orange requirement specified in *Minnesota Statutes*, section 97B.071, in the open area during the extended season. All deer taken in this season must be registered within the extended season area within 24 hours after the close of the season.

Official Notices

Pursuant to the provisions of *Minnesota Statutes* § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Ethical Practices Board

Notice of 1993 Campaign Expenditure Limits

In accordance with *Minnesota Statutes* §§ 10A.25 and 10A.255, the following are nonelection year campaign expenditure limits in 1993, by office sought or held: Governor and Lt. Governor, \$406,673; Attorney General, \$67,779; Secretary of State, State Treasurer, State Auditor (each), \$33,890; State Senator, \$10,788; and State Representative, \$5,394.

Department of Health

Notice of Intent to Solicit Outside Information Regarding Proposed Rule Amendments Governing the Services for Children with Handicaps Program

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health is seeking information or comments from sources outside the department in preparing proposed rule amendments governing services provided to the population served by the Services for Children with Handicaps Program. The department is currently reviewing the rules pertaining to this program to determine what modifications and updates are needed. The amendment of the rules is authorized by *Minnesota Statutes*, Sections 144.11, 145.8830 Subd. 5 and 145.889 (1992). Rules the agency proposes to amend are found in *Minnesota Rules*, chapter 4705.

The department requests information and opinions concerning amendments to the rules. Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to:

Pati Maier, Assistant Director
Maternal and Child Health Division
Minnesota Department of Health
717 SE Delaware Street, P.O. Box 9441
Minneapolis, MN 55440-9441

Oral statements will be received during regular business hours over the telephone at (612) 623-5167 and in person at the above address.

All statements of information and opinions under this notice shall be accepted until the formal rulemaking process commences. Any written material received by the State Department of Health shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event the rules are adopted.

Dated: 12 November 1992

Marlene E. Marschall, Commissioner
Department of Health

Department of Health

Notice of Meeting

In conjunction with the 1992 health care reform legislation (formerly HealthRight), there will be a meeting of the Antitrust Rules Advisory Panel at 8:00 a.m. on Monday, December 14, 1992. The meeting will be held at the Veteran's Service Building, Room D (Fifth Floor), 20 West 12th Street, St. Paul, Minnesota 55155.

Department of Human Services

Mental Health Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Adoption of Rules Establishing Standards for Community Support Program Services for Adults with Serious and Persistent Mental Illness and Family Community Support Services for Children with Severe Emotional Disturbance

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules establishing standards for community support program services for adults with serious and persistent mental illness and family community support services for children with severe emotional disturbance. The adoption of the proposed rule is authorized by *Minnesota Statutes*, section 245.484.

The proposed rule will: 1. define service components; 2. establish adult services based on the principles of psychiatric rehabilitation and children's services based on CASSP principles; 3. clarify clinical supervision of services by a mental health professional; 4. establish staff orientation and continuing education requirements; 5. clarify coordination of community and family support services with case management and other mental health services; 6. clarify service planning; and 7. establish client information standards.

The State Department of Human Services requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views in writing or orally. Written statements should be addressed to:

Eleanor Weber
Rules and Bulletins Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816

Oral statements will be received during the regular business hours over the telephone at (612) 297-4301 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event the rule is adopted.

Dated: 30 November 1992

Eleanor Weber
Rules and Bulletins Division

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Construction Projects

Effective December 7, 1992 prevailing wage rates are certified for commercial construction projects in: Ramsey county: Payne Avenue, MWCC Waste Heat Recovery Economizer Coils; Stearns county: St. Cloud State University Business Building addition; Washington county: Administration Relocation WCHRA.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.
Commissioner

Public Employees Retirement Association

Board of Trustees, Notice of Meetings

The next regular monthly meeting of the Board of Trustees of the Public Employees Retirement Association (PERA) will be held on Thursday, December 10, 1992 at 9:30 a.m. in the PERA offices, 514 St. Peter St., Suite 200—Skyway Level, Saint Paul, Minnesota.

An Information Forum of the Public Employee Groups will be held on Thursday, December 17, 1992, at 10:30 a.m. in the offices of the Association.

An Information Forum of the Public Safety Officers will be held on Thursday, December 17, 1992 at 1:30 p.m. in the offices of the Association.

Office of the Secretary of State

Notice of Vacancy in Multi-Member State Agency

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in a multi-member state agency, pursuant to *Minnesota Statutes* 15.0597, Subdivision 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul, MN 55155-1299; 612/296-2805. (NOTE: SSB has attached a copy of the application to this notice.) Specific information about these vacancies may be obtained from the agencies listed below. The application deadline is December 29, 1992.

MINNESOTA COUNCIL FOR THE BLIND

Department of Jobs and Training, 2200 University Avenue West, #240, St. Paul, MN 55114-1804.
Minnesota Statutes 248.10

APPOINTING AUTHORITY: Commissioner of Jobs and Training. COMPENSATION: \$55.00 per-diem plus expenses.

The Council advises the Commissioner on the development of policies, programs and services affecting the blind and visually impaired; to provide the Commissioner with a review of ongoing services. The Council includes nine members of whom five must be blind or visually handicapped. Terms are staggered.

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. These vacancies will remain open for application through December 29, 1992. Appointing Authorities may also choose to review applications received after that date. Applications are kept on file for a one year period.

The 1992 Annual Compilation and Statistical Report is available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1992 fiscal year. The 1992 Annual Compilation also indicates members with terms scheduled to end in January 1993. Many of these positions may still be open for application. The cost of the 1992 Annual Compilation is \$5.50 per copy plus sales tax. There is a \$2.00 charge for mailing per order; an order may include any number of copies. **To order copies of the 1992 Annual Compilation please call the Minnesota Bookstore at 297-3000 or 1-800-657-3757.**

AMERICAN INDIAN ADVISORY COUNCIL ON CHEMICAL DEPENDENCY

444 Lafayette Rd., St. Paul, MN 55155-3823. 612-296-4043.
Minnesota Statutes 254A.035.

APPOINTING AUTHORITY: Commissioner of Human Services. **COMPENSATION:** \$55.00 per diem plus expenses.

VACANCY: One vacancy: to represent the Lower Sioux Indian Community—must be American Indian.

The council establishes policies and procedures for American Indian chemical dependency programs, and reviews and recommends proposals for funding.

The council consists of seventeen members including one member from each of eleven reservations, two members from Minneapolis, two members from St. Paul, one member from Duluth, and one member from International Falls. Quarterly meetings.

INTERGOVERNMENTAL INFORMATION SYSTEMS ADVISORY COUNCIL (IISAC)

Dept. of Administration, Room 320, Centennial Office Bldg., 658 Cedar St., St. Paul, MN 55155. 612-297-5530.
Minnesota Statutes 16B.42.

APPOINTING AUTHORITY: Commissioner of Administration. **COMPENSATION:** \$55.00 per diem plus expenses for public members.

VACANCY: One vacancy: member-at-large.

The council promotes the use and exchange of information between state and local governments through a grant program and also acts as a liaison in the area of information systems.

Twenty-five members (fourteen elected or appointed government officials, seven representatives of state agencies and four public members) include two each from counties outside of the metro area, 2nd and 3rd class cities within and outside of metro area, and 4th class cities; one member each from Metropolitan Council, outstate regional body, counties within metro area, 1st class cities, school districts within and outside metro area, state department officials, and four from the state community at large. Members are appointed for four year terms. The full council meets the first Thursday of every other month.

RESPIRATORY CARE PRACTITIONER ADVISORY COUNCIL

Board of Medical Practice, 2700 University Ave. W., #106, St. Paul, MN 55114. 612-642-0538.
Minnesota Statutes 214.13, subd. 4, *Minnesota Rules* 4762.0200.

APPOINTING AUTHORITY: Commissioner of Health. **COMPENSATION:** Expenses.

VACANCY: One vacancy: Respiratory Care Practitioner member. The individual must meet the requirements for registration as a Respiratory Care Practitioner; residency in greater Minnesota, current membership with the Minnesota Society of Respiratory Care (MSRC) and previous involvement with the MSRC Credentialing Committee is desired.

The council advises the Board of Medical Practice on respiratory care practitioner standards, applications for registration, complaints and disciplinary actions, continuing education programs and enforcement of respiratory care practitioner rules.

Seven members including three members who meet respiratory care practitioner registration requirements, two licensed physicians with expertise in respiratory care, and two public members who cannot be current or former respiratory care practitioners or spouse of practitioner, nor have material financial interest in providing respiratory care services or a directly related activity. Meetings are bimonthly, for approximately two hours, at the Board of Medical Practice.

NONPUBLIC EDUCATION COUNCIL

710 Capitol Square Bldg., St. Paul, MN 55101. 612-296-3117.

Minnesota Statutes 123.935.

APPOINTING AUTHORITY: Commissioner of Education. **COMPENSATION:** \$55.00 per diem, reimbursed for expenses.

VACANCY: One vacancy.

The council advises the commissioner and the state board on nonpublic educational aids. When requested by the commissioner or the state board, the council may submit its advice about other nonpublic school matters. The council is also authorized to recognize educational accrediting agencies for purposes relating to Minnesota's Compulsory Instruction Law.

The fifteen member council shall represent various areas of the state, methods of providing nonpublic education, and shall be knowledgeable about nonpublic education.

MN HIGHER EDUCATION COORDINATING BOARD

400 Capitol Square Bldg., St. Paul, MN 55101. 612-296-3974.

Minnesota Statutes 136A.02.

APPOINTING AUTHORITY: Governor. Senate confirmation. **COMPENSATION:** \$55.00 per diem.

VACANCY: One vacancy. Information about the role, duties, and responsibilities of a board member is available to prospective applicants. Please inquire for further information when requesting an application.

The board analyzes and develops plans to meet present and long range higher education needs.

The board consists of eleven members appointed by the governor including one member from each congressional district, three at-large members, one of which is a student member. At least one member shall be selected for knowledge and interest in vocational education. The student advisory council may recommend candidates to the governor for the student position. Monthly meetings in the Capitol area and occasionally out-state. Members must file with the Ethical Practices Board.

BOARD OF ACCOUNTANCY

133 E. 7th St., 3rd Floor, St. Paul, MN 55101. 612-296-7937.

Minnesota Statutes 326.17.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** \$55 per diem.

VACANCY: One vacancy: professional member: a licensed CPA or LPA—a professor of accounting would be desirable. The previous member in this position was a professor of accounting at the University of Minnesota.

The board examines, licenses and regulates certified public accountants and licensed public accountants.

The board consists of seven to nine members including two public members, five licensed certified public accountants, and zero to two licensed public accountants, based on the number licensed in the state. Eight meetings a year plus emergency meetings as necessary. Members must file with the Ethical Practices Board.

BOARD OF DENTISTRY

2700 University Ave. W., Suite 70, St. Paul, MN 55114. 612-642-0579.

Minnesota Statutes 150A.02.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: One vacancy: licensed dentist.

The board examines, licenses and registers dentists, dental hygienists, and dental assistants and enforces the Minnesota Dental Practices Act.

The board consists of nine members, including five dentists, one dental hygienist, one registered dental assistant, and two public members. Bi-monthly meetings. Members must file with the Ethical Practices Board.

MN ACADEMIC EXCELLENCE FOUNDATION

751 Capitol Square Bldg., St. Paul, MN 55101. 612-297-1875.

Minnesota Statutes 121.612.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** None.

VACANCY: Six vacancies: applicants/nominees should be experienced, willing and able to participate in MAEF fundraising activities, and able to support the mission of the public-private partnership model. To be at parity the board especially seeks males from communities of color in nonmetro areas; southwestern, north central and central Minnesota in particular. Minnesota law requires that MAEF board members represent education and business groups. The endorsement of the group is essential. Three vacancies are for education groups such as the Secondary School Principals Assn., the School Boards Association, the Association of School Administrators, and/or a higher education group. Three vacancies are to represent business; special needs are persons with a background in

Official Notices

banking, law, media-public relations, finance, management, Korean Chamber of Commerce, National Alliance of Business, National Center for Manufacturing Control, Minnesota High Technology Council, etc.

The foundation promotes academic excellence in Minnesota schools through public-private partnerships.

The board of directors consists of a member of the State Board of Education who shall serve as chair, the commissioner of the Dept. of Education, and twenty members including eight who represent various education groups and twelve who represent various business groups.

MN COUNCIL FOR THE BLIND

Dept. of Jobs and Training, 1745 University Avenue., St. Paul, MN 55104. 612-642-0508.

Minnesota Statutes 248.10.

APPOINTING AUTHORITY: Commissioner of Jobs and Training. **COMPENSATION:** \$55.00 per diem plus expenses.

VACANCY: Two vacancies: seeking individuals who are knowledgeable about issues concerning services for blind and visually handicapped Minnesotans.

The Council advises the commissioner on the development of policies, programs and services affecting the blind and visually handicapped; to provide the commissioner with a review of ongoing services. The council consists of nine members of whom five must be blind or visually handicapped. Terms are staggered. Bi-monthly meetings (alternating Thursdays 5-9 p.m. and Saturdays 10 a.m.-3 p.m.) at 1745 University Ave.

ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL

Chemical Dependency Program Division, 444 Lafayette Rd., St. Paul, MN 55155-3823. 612-296-3991.

Minnesota Statutes 254A.04.

APPOINTING AUTHORITY: Commissioners of Health/Human Services. **COMPENSATION:** \$55 per diem plus expenses.

VACANCY: One vacancy: at least five members on the council shall be individuals whose interest or training are in the field of alcohol dependency or abuse; at least five whose interests are in the field of dependency and abuse of drugs other than alcohol; at least one member shall be 60 years of age or over.

The council advises the commissioner concerning problems of alcohol and other drug dependency and abuse.

The council consists of ten members including five members appointed by the commissioner of Human Services with terms ending in even-numbered years and five members appointed by the commissioner of Health with terms ending in odd-numbered years. This includes five with interest in alcohol dependency and abuse, and five interested in abuse of drugs other than alcohol. One member must be over 60 years of age. Monthly meetings.

MN CRIME VICTIM AND WITNESS ADVISORY COUNCIL

Dept. of Public Safety, 211 Transportation Bldg., St. Paul, MN 55155. 612-296-6642.

Minnesota Statutes 611A.70.

APPOINTING AUTHORITY: Commissioner of Public Safety. **COMPENSATION:** None.

VACANCY: Two vacancies: One public member and one representative of crime victim assistance.

The council reviews on a regular basis the treatment of victims by the criminal justice system and the need and availability of services to crime victims.

The council consists of fifteen members, including two members of the Minnesota legislature who have demonstrated expertise and interest in crime victim issues, one from each house; one district court judge; one county attorney; one public defender; one peace officer; one medical or osteopathic physician licensed to practice in this state; five members who are crime victims or crime victims assistance representatives; three public members. The appointments should take into account sex, race and geographic distribution. The council meets once a month.

CHEMICAL ABUSE PREVENTION RESOURCE COUNCIL

Department of Public Safety, Office of Drug Policy and Violence Prevention, 316 Transportation Bldg., St. Paul, MN 55155. 612-297-4749.

Minnesota Statutes 299A.31.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** Per diem plus expenses.

VACANCY: One vacancy: the resigning member represented the business sector.

The council is to serve as an advisory body to the governor and legislature on all aspects of alcohol and drug abuse; assist state agencies in coordination of drug policies, programs and services; oversee comprehensive data collection, research and evaluation of alcohol and drug program activities; evaluate whether law enforcement narcotics task forces should be reduced in number and increased in geographic size; and review and approve state agency plans regarding the use of federal funds for programs to reduce chemical

Professional, Technical & Consulting Contracts

abuse or reduce the supply of controlled substances.

The council consists of nineteen members: the commissioners of Public Safety, Education, Health, Corrections, and Human Services, the director of the Office of Strategic and Long Range Planning and the attorney general each appoint one member from their employees; the speaker of the house and the subcommittee for committees of the senate each appoint a legislative member; the governor appoints ten members from throughout the state representing the following: public health, education including preschool, elementary and higher education; social services; financial aid services; chemical dependency treatment; law enforcement; prosecution; defense; the judiciary; corrections; treatment research professionals; drug abuse prevention professionals; the business sector; religious leaders; representatives of racial and ethnic minority communities and other community representatives. Meetings held the second Thursday of the month at various locations (call 297-4749 for time and locations).

OMBUDSMAN COMMITTEE FOR MENTAL HEALTH AND MENTAL RETARDATION

Suite 202, Metro Square Bldg., St. Paul, MN 55101. 612-296-0941.

Minnesota Statutes 245.97.

APPOINTING AUTHORITY: Governor. **COMPENSATION:** Reimbursed for expenses.

VACANCY: One vacancy. Committee members are appointed on the basis of their knowledge of and interest in the health and human services system subject to the Ombudsman's authority.

The committee advises and assists the Ombudsman for Mental Health and Mental Retardation.

The committee consists of fifteen members who are appointed on the basis of their knowledge of and interest in the health and human services system subject to the ombudsman's authority. Meetings four times per year.

Minnesota Board of Social Work

Meeting Dates for the 1993 Calendar Year

The Minnesota Board of Social Work is giving official notice of the meeting dates of the regular Board meetings for the 1993 calendar year. The regular Board meetings begin at 12:00 p.m. and are held at the Board office, 2700 University Avenue West, Suite 225, St. Paul, MN 55114. The dates are as follows:

January 8, 1993	July 9, 1993
February 12, 1993	August 6, 1993
March 12, 1993	September 10, 1993
April 9, 1993	October 8, 1993
May 14, 1993	November 19, 1993
June 11, 1993	December 10, 1993

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

State Designer Selection Board

Request for Proposal for a University of Minnesota Project

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select designers for a University of Minnesota project. Design firms who wish to be considered for this project should deliver proposals on or before 4:00 p.m., January 5, 1993, to:

George Iwan
Executive Secretary, State Designer Selection Board
Room G-10, Administration Building
St. Paul, Minnesota 55155-3000

Professional, Technical & Consulting Contracts

The proposal must conform to the following:

- 1) Eight copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

4) Mandatory Proposal contents in sequence:

- a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.
- b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. Identify roles that such persons played in projects which are relevant to the project at hand. **NOTE NEW REQUIREMENT:** The proposal must contain a statement indicating whether or not the consultants listed have been contacted and have agreed to be a part of the design team.
- c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.
- d) A list of State and University of Minnesota current and past projects and studies awarded to the prime firm(s) submitting this proposal during the three (3) years immediately preceding the date of this request for proposal. The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated.

In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above. **NOTE:** Please call for a copy of the acceptable format for providing this information.

The proposal shall consist of no more than twenty (20) faces. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

5) Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

- a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
- b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights; or
- c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or
- d) A statement certifying that the firm has an application pending for a certificate of compliance.

6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

- a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or
- b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures, their schedule for the project herein described or the fee format form may be referred to George Iwan at (612) 296-4656.

7) PROJECT—27-92

New Combined Support Maintenance Shop (CSMS)
Camp Ripley

General Description of Project: The proposed project consists of a new vehicle and materials/equipment maintenance facility that will be constructed in two phases; and renovation of existing storage facilities. Total square footage of the Project will be approximately 130,000 of which 110,000 SF will be new and 20,000 SF renovated. The entire project will be designed in 1993 while the construction will be done in two or more phases. It is hoped to bid phase I late in 1993 or early in 1994.

Professional, Technical & Consulting Contracts

Estimated Project Construction Cost:

Phase I:	\$ 7,100,000.00
Future Phases:	<u>4,400,000.00</u>
TOTAL	\$11,500,000.00

Project Details: The facility will be a single level building(s) containing vehicle repair bays, specialty shops (carpenter, canvas, machine), missile repair and storage, small arms repair and storage vault, testing/calibration rooms, paint/prep shop, locker/shower facilities and administrative spaces.

Included in the project is approximately 7 acres of concrete for storage and maneuvering of tanks, personnel carriers and other vehicles. Because a storm water design will be required for these hard surface areas a civil engineer shall be included on the design team for this project.

Work to be Performed by the Architect: The work includes: topographic survey and soil test borings; the design of the complete facility; the preparation of required drawings, specifications and allied documents to include bidding documents; the handling of contract documents; the general supervision of the construction work for the Owner; assisting in the preparation of supplemental agreements; review and approval of shop drawings and payment requests; assisting in final acceptance of the work. The specification and drawing format will be the architect's normal for commercial work, tailored to the project.

Architect's Fee for the Work: The fee for design, printing, travel, topographic survey, soil testing and supervision services is Government established on a variable scale at a percentage of the construction cost of the work. Estimated fee is 5.5%. The Department of Military Affairs will provide the designer with programming documents and Department construction standards which include space criteria, supporting facility criteria, construction standards, authorized finish schedule and use relationships.

Questions concerning this project may be referred to Thomas Vesely at (612) 632-7570.

M.J. Czarniecki III, Chairman
State Designer Selection Board

Department of Health

Request for Proposals to Improve the Effectiveness of Public Health Care Purchasing

The State of Minnesota is seeking proposals from qualified firms to develop recommendations to 1) improve the overall effectiveness of public health care purchasing; and 2) streamline and consolidate public health care purchasing and delivery, as well as some health care regulation related to purchasing health care, through merger, transfer, or reconfiguration of existing health care coverage programs.

Details are contained in a request for proposals which may be obtained by contacting:

Sandra Abrams
Department of Health
Health Care Delivery Systems
717 Delaware Street Southeast
P.O. Box 9441
Minneapolis, MN 55440-9441
(612) 623-5131

A pre-bid conference will be held on December 14, 1992. Only firms attending the pre-bid conference will be considered as viable respondents to the RFP. Proposals are due by 4:30 p.m. on December 28, 1992.

Department of Jobs and Training

Proposals Sought for Facilitators to Assist in Redirecting Agency Services

FOCUSING SERVICES PART II: FACILITATING THE DEVELOPMENT AGENCY DIRECTIONS, POLICIES, AND GUIDELINES

I. Purpose and Background

The Department of Jobs and Training-Division of Rehabilitation Services (DRS) has undergone substantial changes over the past decade. Federal policy and directives continue to change, new services and technologies have been developed making it easier for persons with severe disabilities to benefit from services, new disability groups have emerged, and inflation has decreased the purchasing

Professional, Technical & Consulting Contracts

power of available case service funds. DRS is requesting proposals for an independent group facilitator(s) to assist the agency in the second phase of focusing and redirecting its services and resources to meet these challenges and changing consumer needs, including organizational development activities.

In addition, a Circuit Court of Appeals decision necessitated the promulgation of an emergency rule in July, 1991 regarding delivery of all agency services. The first phase in focusing services to consumers consisted of development of a mission statement, an Order of Selection for provision of services, consumer financial participation, post secondary services and Big Ticket items. This second phase will run concurrently with a tight timeframe for the promulgation of the rule and will focus on implementation strategies and the management of change.

II. Proposal Contents

A. Submission of Proposals—One original and 5 copies of the proposal must be received by the Division of Rehabilitation Services no later than 4:30 p.m. on Monday, January 4, 1993. There are two parts to this proposal. The applicant can apply for one or both parts, but you must specify which you are applying for. Part A will deal with group facilitation of Implementation Strategies for the Focusing Services Work group for training, policy refinement and managing change around such topics as: waiting lists, financial aid communication forms and consumer brochures. Part B will include group facilitation of 21 supervisors and key management staff for purposes of supervisors getting ready for change within themselves and within the team, as well as planning for change through owning an implementation plan, and looking at other organizational activities related to managing the changes within the Department toward Total Quality Management. Mail or deliver proposals to:

Kim Rezek, Director of Vocational Rehabilitation
Division of Rehabilitation Services
390 N. Robert Street, First Floor
St. Paul, MN 55101

B. Eligible Applicant—Public and private agencies or individuals are invited to apply. The applicant must have expertise in Total Quality Management, group design and facilitation skills, problem solving and organizational change activities. If applying for Part A, the applicant must also have expertise in strategic planning and problem solving. If applying for Part B, the applicant must also have expertise in building a healthy organizational culture. If the applicant is applying for both Part A and Part B, the applicant must show expertise in all areas listed above. The applicant must be available beginning February 1, 1993 for a period of nine (9) months and must be able to work within very tight timeframes.

C. Available Funding—There is approximately \$25,000 available for Part A, and approximately \$15,000 available for Part B for a total of approximately \$40,000.

D. Funding Period—Activities are to begin February 1, 1993 and be completed within nine (9) months.

E. Review of Proposals—All proposals will be reviewed by the Division of Rehabilitation Services (DRS). DRS reserves the right to reject any or all proposals which do not, in the agency's opinion, conform to the requirements of this announcement. Any proposal approved under this Request for Proposals (RFP) is conditional upon the final approval of a Contract for Services.

F. Bidder's Conference—All interested bidders will have an opportunity to ask questions and obtain more detailed information on Tuesday, December 22, 1992 from 2:00–4:00 p.m. in the Rehabilitation Services Division, Lowertown Field Office, 245 East 6th Street, Suite 813, St. Paul, MN 55101.

G. Proposal Evaluative Criteria—All proposals will be scored based on the following criteria for either Part A or Part B: Group design has a logical/sequence of activities (20%); Applicant demonstrates appropriate strategies to accomplish the applied for Part (20%); Timeframes are established for each activity proposed (10%); Budget includes all anticipated costs and is in an audit format (10%); Applicant has demonstrated their qualifications and expertise to lead the activities outlined (15%); Applicant has demonstrated ability to work with other consultants to accomplish activities (15%); and the proposal provides for systematic evaluation to assure that project goals and objectives are being met within timeframes (10%).

H. Expense Liability—All financial liability for any costs incurred by applicants in the process of preparing a proposal to this RFP is the sole responsibility of the applicant.

INSTRUCTIONS

I. Application Cover Letter

A letter with the applicant's signature must clearly state the agency or individual who will be providing the requested services, and a complete mailing address. The applicant's Social Security number or Minnesota Tax I.D. number, and Federal Employer I.D. number (if applicable) should be included.

II. Narrative

The proposal narrative should be limited to no longer than eight pages typed (single sided) per Part. Indicate which Part the applicant

Professional, Technical & Consulting Contracts

is applying for. The narrative should address the following issues, providing a discussion of the design for group facilitation, timeframes and number of hours needed to achieve the task for each Part.

A. Focusing Services: Discussion of how you would facilitate the development of 1) a shared understanding of the current work environment at DRS and 2) a shared vision of the future. For Part A, the narrative should outline timelines and techniques to assist in the development of strategies for training, policy refinement and managing change for such topics as: waiting lists, Financial Aid Communication forms and consumer brochures. For Part B, the narrative should discuss group facilitation for 21 Supervisors and key management staff in areas such as readiness for personnel and team change, planning for change within the team as well as within the organization and implementation of change. The anticipated outcomes of this activity are successful implementation of a Rule through training and other strategies to be developed using Total Quality Management principles, and the continuation of organizational cultural change, and training of staff in group process techniques.

DRS will provide the facilitator with relevant needs assessment information and results of Phase I activities at the Bidder's Conference on December 22, 1992 from 2:00-4:00 p.m. at the field office of DRS located at 245 E. Sixth St., Suite 813, St. Paul, MN. Due to the time restraints, Part II must be ready for implementation in the summer or Fall Quarter for 1993.

B. Work with Key Management: For Part A, discussion of how you would design and facilitate a process to assist key management staff and Focusing Services Work Group members to manage change around such topics as Waiting Lists, financial aid communication forms and consumer brochures. For Part B, discussion of how you would design and facilitate a process to assist supervisors to identify within themselves behaviors that will need to be changed to improve management style, to facilitate change within the agency and to incorporate Total Quality Management within the DRS team.

C. Organizational Development: Discussion of how information obtained through the above processes will be shared with members of the Part A work group, the Part B group (supervisory staff) and the entire agency. Ownership of a plan for change and implementation of a new vision and related policies by the agency staff members is a primary goal. If a separate consultant would be selected, indicate how you would be able to work to coordinate activities.

D. Policy/Rule Development: Discussion of methods you propose to facilitate a work group to develop guidelines and implementation strategies is expected. Members of Part A will be selected from the entire agency staff but will consist of 15-17 DRS staff and other interested parties. This work group will do more work on the implementation of the vision established in Phase I, clarification of the Rule, develop training objectives for staff and develop policy interpretation. Specific policies to be considered include but are not limited to:

1. Guidelines and implementation strategies to implement the vision for the agency established in Phase I,
2. Guidelines and implementation strategies regarding order of selection, waiting lists, and serving persons with severe disabilities,
3. Guidelines and implementation strategies for financial need criteria for services, and
4. Guidelines and implementation strategies regarding specific services such as post-secondary education, van adaptation, and interpreter services.

The Part B group is about preparing for and managing the change which will result from Part A.

E. Evaluation: The narrative should discuss how you will evaluate the effectiveness of the process you are proposing.

III. Budget

A one page budget plan should be included, outlining time estimates for each activity within Part A or Part B, or both. The budget should outline all anticipated costs.

IV. Applicant Qualification

Applicant should provide a vita discussing qualifications and experience in group design and facilitation, problem solving and organizational change activities, Total Quality Management and the provision of technical assistance in the development of effective policies and guidelines.

If only applying for only one Part, describe how you have worked with other consultants in the past and how you will work jointly with other consultants to accomplish our tasks.

Technical Assistance

Questions related to this request for proposals and the application process should be addressed to M.E. Myk McArdle, Rehabilitation Specialist, Division of Rehabilitation Services at 390 N. Robert St. 1st Floor, St. Paul, MN 55101, 612/297-8270. No other employee of the Dept. of Jobs & Training, Division of Rehabilitation Services is authorized to answer questions regarding this Request for Proposal.

Department of Natural Resources

Parks and Recreation Division

Notice of Request for Proposal for Warehouse and Fulfillment of Minnesota State Parks' Merchandise.

The Minnesota Department of Natural Resources, Division of Parks and Recreation is requesting proposals from qualified individuals, firms or public entities interested in entering into a contract agreement for warehousing and fulfillment of Minnesota State Parks' merchandise. The agreement will be for a one year period, with a renewal option of three years, for a potential total of up to four years, beginning February 1, 1993.

Proposals must be received by 4:30 p.m. CDT, December 28, 1992.

A site visit and oral interview may be scheduled for potential proposers.

For a copy of the Request for Proposals, contact:

Patricia Arndt, Special Projects Planner
Minnesota Department of Natural Resources
Division of Parks and Recreation
500 Lafayette Road
St. Paul, MN 55155-4039
(612) 296-8162

Department of Public Safety

Traffic Safety Office

Request for Proposals for Management of Intensive Probation Grant Program

The Department of Public Safety has received a grant from the National Highway Traffic Safety Administration to manage a grant program that will help counties establish intensive probation programs for repeat DWI offenders. The Department is seeking to contract for professional and technical services to manage and administer the program.

The request for proposals (RFP) for this contract has been re-opened. Details are contained in an RFP which may be obtained by calling or writing:

Kathryn Swanson
Office of Traffic Safety
Department of Public Safety
207 Transportation Bldg.
395 John Ireland Blvd.
St. Paul, MN 55155
(612) 296-9507

The estimated cost of the contract is \$67,000.00. Final date for submitting proposals is December 10, 1992. Please note: This request for proposals is NOT a request for proposals from counties wishing to establish intensive probation programs; rather, it is a request for proposals to manage and administer that grant program.

Non-State Public Bids and Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Metropolitan Waste Control Commission

Public Notice for Prequalifications for Professional Services

NOTICE IS HEREBY GIVEN that the Metropolitan Waste Control Commission is soliciting prequalifications for professional services for MWWTP Projects, MWCC Project Number 910500, 920700, 930100 and 930500.

The work will consist of three distinct projects. The three projects involve providing Step II Design Services and Step III Construction Support, and include:

1. Small Systemwide Improvements Projects: Provide engineering support services for projects at the Metro Plant. These services would be used primarily to supplement MWCC staff.
2. Meter Improvements: Preparation of design report for proposed improvements which expands upon the Meter Evaluation Study previously conducted, design of facilities, improvements and modifications, and preparation of Bidding Documents.
3. MWWTP Fine Bubble Retrofit: Design a fine-bubble system to replace the existing coarse-bubble aeration system, design retrofit of the sixteen existing aeration basins, and preparation of Bidding Documents.

All firms interested in being considered for this Project are invited to submit a Letter Of Interest (LOI) asking for the project Request For Qualifications (RFQ).

All inquiries and submittals are to be addressed to:

Mr. Joseph H. Edwards, PE, CCS, CSI
Manager, Contracts & Documents Division
Metropolitan Waste Control Commission
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
(612) 229-5019

By Order of the
Metropolitan Waste Control Commission
Gordon O. Voss
Chief Administrator

Awards of State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid: Call 296-2600 for information on a specific bid, or to request a specific bid.

Awards of State Contracts and Advertised Bids

COMMODITY CODE KEY

A = Sealed Bid
B = Write for Price
C = Request for Proposal
D = Request for Information
E = \$0-\$1,500 Estimated Dollar Value
F = \$1,500-\$5,000 Estimated Dollar Value

G = \$5,000-\$15,000 Estimated Dollar Value
H = \$15,000-\$50,000 Sealed Bid
I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required

J = Targeted Vendors Only
K = Local Service Needed
L = No Substitute
M = Installation Needed
N = Pre-Bid Conference
O = Insurance or Bonding Required

Item: Chemicals, Industrial
Req.#: 01000-07196-01
Awarded to: Tri City Paving Inc., Little Falls, MN
Awarded amount: \$19,840.00
Awarded date: November 18, 1992
Expir/deliv date: May 1, 1993
Shipped to: Facilities Management Office

Item: Laboratory/Science Supplies
Req.#: 27148-61059-01
Awarded to: Cole Parmer Company, Niles, IL
Awarded amount: \$1,852.50
Awarded date: November 18, 1992
Expir/deliv date: December 7, 1992
Shipped to: Rochester Community College

Item: Pump, Vacuum, Parts
Req.#: 78620-00479-01
Awarded to: Johnson Controls Inc., Minneapolis, MN
Awarded amount: \$7,478.72
Awarded date: November 18, 1992
Expir/deliv date: December 4, 1992
Shipped to: Minnesota Correctional Facility

Item: Cable & Cord, Electronic
Req.#: 02410-32410-01
Awarded to: Americable, Eden Prairie, MN
Awarded amount: \$804.20
Awarded date: November 18, 1992
Expir/deliv date: November 28, 1992
Shipped to: Intertechnologies Group

Item: Award/Promotional, Miscellaneous
Req.#: 36000-31134-01
Awarded to: Permanent Impressions, White Bear Lake, MN
Awarded amount: \$55.48
Awarded date: November 18, 1992
Expir/deliv date: November 20, 1992
Shipped to: Board of Vocational-Technical Education

Item: Copy Machine, High Speed; Over 50 CPM
Req.#: 78640-02542-01
Awarded to: Xerox Corp., Bloomington, MN
Awarded amount: \$128,910.00
Awarded date: November 18, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Correctional Facility

Item: Copy Machine, Medium Speed; 15 to 50 CPM
Req.#: 07200-42062-01
Awarded to: Copy Duplicating Products, Richfield, MN
Awarded amount: \$14,237.00
Awarded date: November 18, 1992
Expir/deliv date: December 1, 1992
Shipped to: Department of Public Safety

Item: Audio/Video Equipment, Miscellaneous
Req.#: 37002-08586-01
Awarded to: Sony Sound Center, Minnetonka, MN
Awarded amount: \$770.00
Awarded date: November 18, 1992
Expir/deliv date: November 20, 1992
Shipped to: Minnesota Department of Education Receiving

Item: Construction Material, Miscellaneous
Req.#: 78760-03229-01
Awarded to: Knox Lumber Co., Little Canada, MN
Awarded amount: \$15,552.48
Awarded date: November 18, 1992
Expir/deliv date: November 25, 1992
Shipped to: Minnesota Correctional Facility

Item: Furniture, Data Processing, Miscellaneous
Req.#: 26175-03283-01
Awarded to: Global Computer Supplies, Addison, IL
Awarded amount: \$620.25
Awarded date: November 18, 1992
Expir/deliv date: November 25, 1992
Shipped to: Southwest State University

Item: Plumbing Supplies, Miscellaneous
Req.#: 78620-00476-01
Awarded to: Roberts Hamilton Co., Golden Valley, MN
Awarded amount: \$8,608.66
Awarded date: November 18, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Correctional Facility

Item: Kitchen Equipment & Appliances, Small
Req.#: 78790-30662-01
Awarded to: Hospitality Supply Rest, St. Paul, MN
Awarded amount: \$1,768.00
Awarded date: November 18, 1992
Expir/deliv date: November 20, 1992
Shipped to: Minnesota Correctional Facility—Far

Awards of State Contracts and Advertised Bids

Item: Truck, Light, (Contract)
Req.#: 79382-02523-01
Awarded to: GMAC, Duluth, MN
Awarded amount: \$47,608.00
Awarded date: November 18, 1992
Expir/deliv date: February 15, 1993
Shipped to: Minnesota Department of Transportation

Item: Office Supplies, Miscellaneous
Req.#: 04671-31583-01
Awarded to: Xerox Corp., Bloomington, MN
Awarded amount: \$570.00
Awarded date: November 25, 1992
Expir/deliv date: December 4, 1992
Shipped to: Minnesota Department of Agriculture

Item: Handicapped Device, Visual
Req.#: 21701-53498-01
Awarded to: Telesensory Systems Inc., Mountain View, CA
Awarded amount: \$2,940.00
Awarded date: November 25, 1992
Expir/deliv date: December 20, 1992
Shipped to: Minnesota Department of Jobs & Training

Item: Copy Machine, Personal Speed
Req.#: 22700-00820-01
Awarded to: Stringer Business Systems, St. Paul, MN
Awarded amount: \$1,544.40
Awarded date: November 25, 1992
Expir/deliv date: December 10, 1992
Shipped to: Trade & Economic Development

Item: Computer, Personal
Req.#: 26071-64464-02
Awarded to: Arrow Elec. Inc., Eden Prairie, MN
Awarded amount: \$2,000.00
Awarded date: November 25, 1992
Expir/deliv date: December 1, 1992
Shipped to: Mankato State University

Item: Laboratory/Science Supplies
Req.#: 26071-73058-01
Awarded to: Pasco Scientific Co., Roseville, CA
Awarded amount: \$7,293.00
Awarded date: November 25, 1992
Expir/deliv date: December 2, 1992
Shipped to: Mankato State University

Item: Computer Network Supplies
Req.#: 26073-24187-01
Awarded to: Allanson Business, Minneapolis, MN
Awarded amount: \$3,118.50
Awarded date: November 25, 1992
Expir/deliv date: November 28, 1992
Shipped to: St. Cloud State University

Item: Scanner/Optical Reader, Computer
Req.#: 26073-24189-01
Awarded to: Emcomm, Loretto, MN
Awarded amount: \$1,674.00
Awarded date: November 25, 1992
Expir/deliv date: November 30, 1992
Shipped to: St. Cloud State University

Item: Software, Custom
Req.#: 26073-24190-01
Awarded to: FTP Software Inc., Andover, MA
Awarded amount: \$1,086.00
Awarded date: November 25, 1992
Expir/deliv date: November 30, 1992
Shipped to: St. Cloud State University

Item: Integrated Circuit, Electronic
Req.#: 26073-24177-01
Awarded to: Hallmark Elec, Bloomington, MN
Awarded amount: \$961.95
Awarded date: November 25, 1992
Expir/deliv date: January 6, 1993
Shipped to: St. Cloud State University

Item: Analyzer, Particle Size
Req.#: 26074-14741-01
Awarded to: Midac Corp., Costa Mesa, CA
Awarded amount: \$11,980.00
Awarded date: November 25, 1992
Expir/deliv date: November 30, 1992
Shipped to: Winona State University

Item: Computer, Personal
Req.#: 27152-47012-01
Awarded to: PC Express Inc., Richfield, MN
Awarded amount: \$1,960.00
Awarded date: November 25, 1992
Expir/deliv date: December 16, 1992
Shipped to: Anoka Ramsey Community College

Item: Radio, 2-way, Mobile Equipment (Over \$500)
Req.#: 27156-11020-01
Awarded to: Ericsson GE Mobile, Minneapolis, MN
Awarded amount: \$10,388.00
Awarded date: November 25, 1992
Expir/deliv date: November 30, 1992
Shipped to: Normandale Community College

Item: Cleaner, Vacuum, Commercial
Req.#: 27163-63200-01
Awarded to: Brissman Kennedy Co., St. Paul, MN
Awarded amount: \$1,659.25
Awarded date: November 25, 1992
Expir/deliv date: December 30, 1992
Shipped to: Fond Du Lac Community

Item: Modem, Data Communications
Req.#: 34000-07286-01
Awarded to: Unique Software Corp., Eagan, MN
Awarded amount: \$5,196.00
Awarded date: November 25, 1992
Expir/deliv date: December 4, 1992
Shipped to: Minnesota Housing Finance Agency

Item: Audio/Visual Supplies
Req.#: 78620-00481-01
Awarded to: Countryman D F Co., St. Paul, MN
Awarded amount: \$1,914.38
Awarded date: November 25, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Correctional Facility

Item: Plumbing Supplies, Miscellaneous
Req.#: 78760-03243-01
Awarded to: Grainger W W Inc., St. Paul, MN
Awarded amount: \$1,375.74
Awarded date: November 25, 1992
Expir/deliv date: December 15, 1992
Shipped to: Minnesota Correctional Facility

Awards of State Contracts and Advertised Bids

Item: Lumber, Softwood
Req.#: 79750-01250-01
Awarded to: Bolin Lumber Co.,
Windom, MN
Awarded amount: \$522.50
Awarded date: November 25, 1992
Expir/deliv date: December 2, 1992
Shipped to: Minnesota Department of
Transportation

Item: Software, Educational
Req.#: 37001-30510-01
Awarded to: AI Squared, Manchester
Center, VT
Awarded amount: \$595.00
Awarded date: November 30, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Academy for the
Deaf

Item: Software, Personal Computer
Req.#: 42207-18653-01
Awarded to: Intercomputer, Cincinnati,
OH
Awarded amount: \$2,475.00
Awarded date: November 30, 1992
Expir/deliv date: December 23, 1992
Shipped to: Department of Labor &
Industry

Item: Floor Maintenance Equipment,
Parts & Accessories
Req.#: 02307-34279-02
Awarded to: Brissman Kennedy Co., St.
Paul, MN
Awarded amount: \$10,261.93
Awarded date: November 30, 1992
Expir/deliv date: December 30, 1992
Shipped to: Plant Management
Operations

Item: Terminal, Computer
Req.#: 22400-00427-01
Awarded to: Parker Assoc., Wayzata,
MN
Awarded amount: \$770.00
Awarded date: November 30, 1992
Expir/deliv date: November 30, 1992
Shipped to: Trade & Economic
Development

Item: Computer, Personal
Req.#: 26070-14924-01
Awarded to: PC Tailors, Roseville, MN
Awarded amount: \$4,115.00
Awarded date: November 30, 1992
Expir/deliv date: December 4, 1992
Shipped to: Bemidji State University

Item: Projection Viewer, Computer,
Personal
Req.#: 26071-27151-01
Awarded to: Visual 1 Inc., St. Paul, MN
Awarded amount: \$2,340.50
Awarded date: November 30, 1992
Expir/deliv date: December 4, 1992
Shipped to: Mankato State University

Item: Service, Janitorial
Req.#: 26071-54056-01
Awarded to: Document Reprocessors,
Middlesex, NY
Awarded amount: \$2,683.00
Awarded date: November 30, 1992
Expir/deliv date: December 15, 1992
Shipped to: Mankato State University

Item: Printer Accessories, Computer
Req.#: 26175-03284-01
Awarded to: Data General Corp.,
Westboro, MA

Awarded amount: \$1,126.60
Awarded date: November 30, 1992
Expir/deliv date: December 7, 1992
Shipped to: Southwest State University

Item: Audio/Video Equipment,
Miscellaneous
Req.#: 26175-03280-01
Awarded to: Sound Pacific, Irvine, CA
Awarded amount: \$7,343.88
Awarded date: November 30, 1992
Expir/deliv date: December 31, 1992
Shipped to: Southwest State University

Item: Telecommunication Equipment,
Miscellaneous
Req.#: 27000-30044-01
Awarded to: Ramtech Corp., Johnston,
RI
Awarded amount: \$1,662.47
Awarded date: November 30, 1992
Expir/deliv date: December 15, 1992
Shipped to: Brainerd Community
College

Item: Bending & Forming Mach, Metal
Work
Req.#: 02310-36127-01
Awarded to: South Minn Machinery,
Dodge Center, MN
Awarded amount: \$13,500.00
Awarded date: November 24, 1992
Expir/deliv date: December 2, 1992
Shipped to: Minnesota Correctional
Facility-Far

Item: Office Mach, Lettering
Req.#: 10000-04933-01
Awarded to: Tierney Bros Inc.,
Minneapolis, MN
Awarded amount: \$2,036.65
Awarded date: November 24, 1992
Expir/deliv date: November 30, 1992
Shipped to: Department of Finance

Item: Cable & Cord, Telephone
Req.#: 21200-53502-01
Awarded to: Graybar Elec, Plymouth,
MN
Awarded amount: \$4,136.00
Awarded date: November 24, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Department of
Jobs & Training

Item: Video Equipment, Parts &
Accessories
Req.#: 21200-53238-01
Awarded to: Otari Corp., Foster City,
CA
Awarded amount: \$9,289.56
Awarded date: November 24, 1992
Expir/deliv date: December 15, 1992
Shipped to: Various Locations

Item: Computer, Personal
Req.#: 26070-14916-01
Awarded to: PC Tailors, Roseville, MN
Awarded amount: \$6,738.00
Awarded date: November 24, 1992
Expir/deliv date: December 14, 1992
Shipped to: Bemidji State University

Item: Video Equipment, Parts &
Accessories
Req.#: 26071-50635-01
Awarded to: Audio Visual Wholesalers,
Plymouth, MN
Awarded amount: \$19,408.66
Awarded date: November 24, 1992
Expir/deliv date: December 15, 1992
Shipped to: Mankato State University

Awards of State Contracts and Advertised Bids

Item: Furniture, Library, Miscellaneous
Req.#: 26071-26352-01
Awarded to: Executive Office Concepts Ltd., Minnetonka, MN
Awarded amount: \$8,220.00
Awarded date: November 24, 1992
Expir/deliv date: December 28, 1992
Shipped to: Mankato State University

Item: Furniture, Library, Miscellaneous
Req.#: 26071-26348-01
Awarded to: Highsmith Co Inc The, Ft. Atkinson, WI
Awarded amount: \$1,795.52
Awarded date: November 24, 1992
Expir/deliv date: December 11, 1992
Shipped to: Mankato State University

Item: Camera, Still Picture
Req.#: 26073-24258-01
Awarded to: Camera Trader, Waite Park, MN
Awarded amount: \$393.54
Awarded date: November 24, 1992
Expir/deliv date: December 17, 1992
Shipped to: St. Cloud State University

Item: Copy Machine Supplies
Req.#: 27144-44429-01
Awarded to: Mesabi Office Equipment Inc., Hibbing, MN
Awarded amount: \$388.50
Awarded date: November 24, 1992
Expir/deliv date: December 16, 1992
Shipped to: Itasca Community College

Item: Playground Equipment
Req.#: 27156-11030-01
Awarded to: St. Croix Rec Co., Stillwater, MN
Awarded amount: \$974.55
Awarded date: November 24, 1992
Expir/deliv date: December 11, 1992
Shipped to: Normandale Community College

Item: Contractor, Sewer
Req.#: 27000-52648-01
Awarded to: Olson Walter E & Son Inc., Cambridge, MN
Awarded amount: \$1,494.00
Awarded date: November 24, 1992
Expir/deliv date: December 17, 1992
Shipped to: Cambridge Center

Item: Mower, Commercial
Req.#: 29000-59791-01
Awarded to: MTI Distributing Co., Minneapolis, MN
Awarded amount: \$11,408.00
Awarded date: November 24, 1992
Expir/deliv date: February 1, 1993
Shipped to: Department of Natural Resources Regional Headquarters

Item: Truck Body, Cab & Frame Components
Req.#: 29000-59792-01
Awarded to: J Craft Inc., Kimball, MN
Awarded amount: \$5,334.00
Awarded date: November 24, 1992
Expir/deliv date: January 15, 1993
Shipped to: Department of Natural Resources Regional Headquarters

Item: Trailer, Flatbed; To 8 Ton
Req.#: 29000-59790-01
Awarded to: Sauk Centre Welding, Sauk Centre, MN
Awarded amount: \$5,120.00
Awarded date: November 24, 1992
Expir/deliv date: December 15, 1992
Shipped to: Department of Natural Resources Regional Headquarters

Item: Electronic Supplies, Miscellaneous
Req.#: 32100-34642-01
Awarded to: Stark Elec Supply, Minneapolis, MN
Awarded amount: \$329.71
Awarded date: November 24, 1992
Expir/deliv date: December 21, 1992
Shipped to: Minnesota Pollution Control Agency

Item: Service, Duplication, Tape/Disk
Req.#: 37002-07855-02
Awarded to: Digital Audio Disc Corp., Terre Haute, IN
Awarded amount: \$4,224.20
Awarded date: November 24, 1992
Expir/deliv date: November 30, 1992
Shipped to: Minnesota Department of Education Receiving

Item: Public Address Equipment, Wired
Req.#: 78790-20806-01
Awarded to: Phone Station, Faribault, MN
Awarded amount: \$20,180.98
Awarded date: November 24, 1992
Expir/deliv date: December 30, 1992
Shipped to: Minnesota Correctional Facility-Far

Item: Guardrails & Wood Posts, Traffic Control
Req.#: 79500-23506-01
Awarded to: Rudie Engineering & Supply, Osseo, MN
Awarded amount: \$2,250.00
Awarded date: November 24, 1992
Expir/deliv date: November 30, 1992
Shipped to: Various Locations

Item: Emblem & Insignia Patches
Req.#: 80300-93168-02
Awarded to: Swissartex Emblem Inc., Asheville, NC
Awarded amount: \$1,856.00
Awarded date: November 24, 1992
Expir/deliv date: December 30, 1992
Shipped to: Weights & Measures Division

Item: Tank Storage, Water, Fixed
Req.#: 80300-93208-01
Awarded to: Arrow Tank & Engineering, Coon Rapids, MN
Awarded amount: \$13,664.00
Awarded date: November 24, 1992
Expir/deliv date: November 30, 1992
Shipped to: Weights & Measures Division

Item: Conveyor, Material Handling
Req.#: 02307-35777-01
Awarded to: Material Transfer, Allegan, MI
Awarded amount: \$4,295.00
Awarded date: December 1, 1992
Expir/deliv date: January 4, 1993
Shipped to: Various Locations

Awards of State Contracts and Advertised Bids

Item: Detector, Gas Hazard
Req.#: 12200-14451-01

Awarded to: Continental Safety
Equipment, Eagan, MN

Awarded amount: \$2,520.74

Awarded date: December 1, 1992

Expir/deliv date: December 10, 1992

Shipped to: Minnesota Department of
Health

Item: Hardware, Door Lock & Hinging
Req.#: 21200-53165-01

Awarded to: Roy C Inc., Minneapolis,
MN

Awarded amount: \$8,537.00

Awarded date: December 1, 1992

Expir/deliv date: December 1, 1992

Shipped to: Various Locations

Item: Envelope, Office Supplies

Req.#: 22400-00429-01

Awarded to: Heinrich Envelope Co.,
Minneapolis, MN

Awarded amount: \$2,135.30

Awarded date: December 1, 1992

Expir/deliv date: December 15, 1992

Shipped to: Trade & Economic
Development

Item: Camera, Video Tape

Req.#: 26071-26353-01

Awarded to: Audio Visual Wholesalers,
Plymouth, MN

Awarded amount: \$4,770.00

Awarded date: December 1, 1992

Expir/deliv date: December 15, 1992

Shipped to: Mankato State University

Item: Public Address Equipment,
Wireless

Req.#: 26071-26355-01

Awarded to: Audio Visual Wholesalers,
Plymouth, MN

Awarded amount: \$1,579.94

Awarded date: December 1, 1992

Expir/deliv date: December 10, 1992

Shipped to: Mankato State University

Item: Reader, Micrographic

Req.#: 26071-26351-01

Awarded to: Abaci Inc., St. Paul, MN

Awarded amount: \$2,333.00

Awarded date: December 1, 1992

Expir/deliv date: December 10, 1992

Shipped to: Mankato State University

Item: Panel/Furniture & Parts, Modular
Office

Req.#: 26071-26350-01

Awarded to: Wenger Corp., Owatonna,
MN

Awarded amount: \$9,705.00

Awarded date: December 1, 1992

Expir/deliv date: March 1, 1993

Shipped to: Mankato State University

Item: Seating, Reception/Lobby

Req.#: 27152-47008-01

Awarded to: Lintex Corp., St. Paul, MN

Awarded amount: \$3,248.18

Awarded date: December 1, 1992

Expir/deliv date: February 18, 1993

Shipped to: Anoka Ramsey Community
College

Item: Furniture, Laboratory,
Miscellaneous

Req.#: 27155-55216-01

Awarded to: Fisher Scientific Co.,
Chicago, IL

Awarded amount: \$3,942.00

Awarded date: December 1, 1992

Expir/deliv date: December 3, 1992

Shipped to: Rainy River Community
College

Item: Scale, Laboratory, Precision

Req.#: 27148-61058-01

Awarded to: Fisher Scientific, Itasca, IL

Awarded amount: \$6,407.92

Awarded date: December 1, 1992

Expir/deliv date: January 4, 1993

Shipped to: Rochester Community
College

Item: Posts & Poles, Wood

Req.#: 29006-31016-01

Awarded to: Two Harbors Lumber Co.,
Two Harbors, MN

Awarded amount: \$7,400.00

Awarded date: December 1, 1992

Expir/deliv date: December 30, 1992

Shipped to: Various Locations

Item: Sign (Not Powered, Not Highway)

Req.#: 29000-59884-01

Awarded to: Gopher Sign Co., St. Paul,
MN

Awarded amount: \$4,000.00

Awarded date: December 1, 1992

Expir/deliv date: January 15, 1993

Shipped to: Department of Natural
Resources—Southern Service Center

Item: Storage Units, Mobile

Req.#: 43000-60560-01

Awarded to: Egger Theodore Assoc
Inc., Minneapolis, MN

Awarded amount: \$47,116.00

Awarded date: December 1, 1992

Expir/deliv date: January 22, 1993

Shipped to: Iron Range Research Center

Item: Storage Units, Mobile

Req.#: 43000-70405-01

Awarded to: Egger Theodore Assoc
Inc., Minneapolis, MN

Awarded amount: \$46,884.00

Awarded date: December 1, 1992

Expir/deliv date: January 22, 1993

Shipped to: Iron Range Research Center

Item: Plumbing Supplies, Miscellaneous

Req.#: 78620-00480-01

Awarded to: Goodin Co., St. Paul, MN

Awarded amount: \$434.00

Awarded date: December 1, 1992

Expir/deliv date: December 30, 1992

Shipped to: Minnesota Correctional
Facility

Item: Meat

Req.#: 78620-00482-02

Awarded to: Harkers Inc., Lemars, IA

Awarded amount: \$4,982.00

Awarded date: December 1, 1992

Expir/deliv date: December 14, 1992

Shipped to: Minnesota Correctional
Facility

Item: Meat

Req.#: 78620-00482-01

Awarded to: Mapelli Food Distribution,
St. Paul, MN

Awarded amount: \$14,547.20

Awarded date: December 1, 1992

Expir/deliv date: December 14, 1992

Shipped to: Minnesota Correctional
Facility

Item: Lumber, Hardwood

Req.#: 78760-03240-01

Awarded to: Jones Lumber Company,
Minneapolis, MN

Awarded amount: \$2,138.24

Awarded date: December 1, 1992

Expir/deliv date: December 15, 1992

Shipped to: Minnesota Correctional
Facility

Awards of State Contracts and Advertised Bids

Item: Lavatory, Basin
Req.#: 78830-11567-01
Awarded to: Goodin Co., St. Paul, MN
Awarded amount: \$578.00
Awarded date: December 1, 1992
Expir/deliv date: January 30, 1993
Shipped to: Minnesota Correctional Facility

Item: Toilet
Req.#: 78830-11568-01
Awarded to: Goodin Co., St. Paul, MN
Awarded amount: \$1,554.00
Awarded date: December 1, 1992
Expir/deliv date: January 30, 1993
Shipped to: Minnesota Correctional Facility

Item: Typewriter
Req.#: 78830-11564-01
Awarded to: Chader Business Equipment Co., St. Cloud, MN
Awarded amount: \$673.00
Awarded date: December 1, 1992
Expir/deliv date: December 4, 1992
Shipped to: Minnesota Correctional Facility

Item: Audio/Video Equipment, Miscellaneous
Req.#: 79000-32568-01
Awarded to: Elec Design Co., St. Paul, MN
Awarded amount: \$16,181.00
Awarded date: December 1, 1992
Expir/deliv date: December 5, 1992
Shipped to: Minnesota Department of Transportation

Item: Wire & Cable, Electrical
Req.#: 79000-32379-01
Awarded to: Bergstrom & Co., Minneapolis, MN
Awarded amount: \$1,790.00
Awarded date: December 1, 1992
Expir/deliv date: December 11, 1992
Shipped to: Minnesota Department of Transportation

Item: Testing Equipment, Non Destructive
Req.#: 79000-31849-01
Awarded to: Boshung Co Inc., Milwaukee, WI
Awarded amount: \$3,368.08
Awarded date: December 1, 1992
Expir/deliv date: December 10, 1992
Shipped to: Minnesota Department of Transportation

Item: Construction Material, Miscellaneous
Req.#: 79050-70160-01
Awarded to: Archers Supply Co., Little Falls, MN
Awarded amount: \$95,269.00
Awarded date: December 1, 1992
Expir/deliv date: December 30, 1992
Shipped to: Various Locations

Item: Observation Station, All Weather (AWOS)
Req.#: 79000-32359-01
Awarded to: Pan AM Weather Systems, Minneapolis, MN
Awarded amount: \$96,000.00
Awarded date: December 1, 1992
Expir/deliv date: December 31, 1992
Shipped to: Various Locations

	Code No.	Quantity	Description		Item Price	Total
TO ORDER: Complete attached order blank. Include either your Discover/American Express/VISA/MasterCard number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your credit card. Please include a phone number where you can be reached during the day in case we have questions about your order. Please include 6½% sales tax and \$2.00 postage and handling. Ask for our catalogs for <i>Publications</i> , <i>Outdoors</i> , or <i>Mailing Lists</i> . PREPAYMENT REQUIRED NOTE: <i>State Register</i> and other subscriptions do not require sales tax or postage and handling fees. Prices subject to change without notice. Please allow 4-6 weeks for delivery. In a hurry? Stop by our Bookstore. Bookstore Hours 8:00-4:30 M-F.						
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	Attention				Plus 6½% tax MN Residents Only	
	Address					
	City	State	Zip		Handling (per order)	\$2.00
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	Signature		Expiration Date		Telephone (During Day)	

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Pheasants in Minnesota. Through many full-color photos the book shows the ringneck pheasant in various settings, tells how to maintain wildlife habitat and explains the wise management of the hunt. Quantity discounts available. Stock #9-13, \$5.95.

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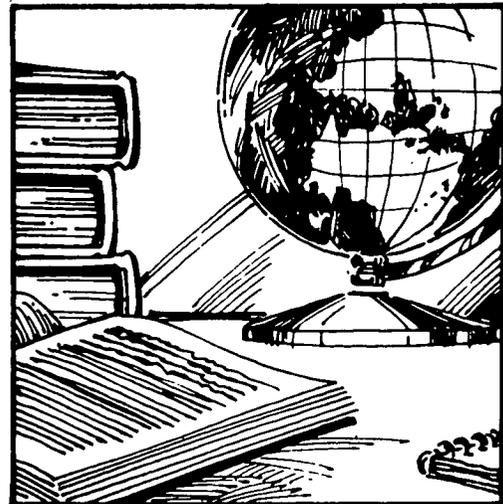
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Get Smart with these Education Resources

Board of Teaching-Licensure Rules 1990. Minnesota Rules Chapter 8700. Requirements for the issuance and renewal of all licenses, from vo-tech and hearing impaired to librarians and media generalists. Includes the Code of Ethics for Minnesota Teachers, and standards for teachers prepared in other states. Code #3-74. \$14.95 plus tax.

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Business and NonProfit Corporation Act 1989. A handy reference that contains all the state laws governing the establishment and conduct of corporations in Minnesota. Includes *Minnesota Statutes* Chapters 308A, 302A and 317A. Code #2-87. \$19.95 plus tax.

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